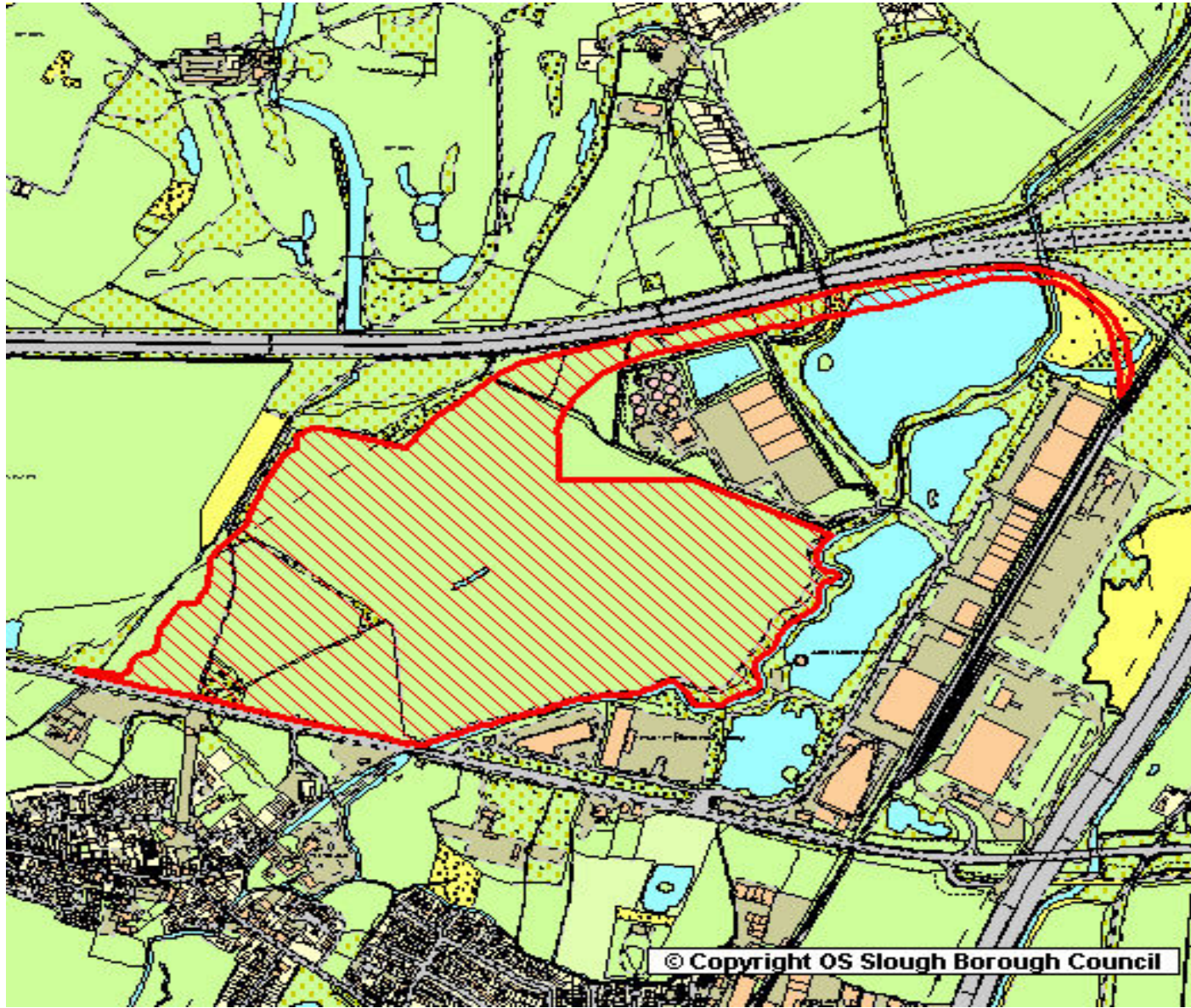


Registration Date: Officer:	27-Sep-2010 Mr. Stimpson	Applic. No: Ward: Applic type: 13 week date:	P/14961/000 Colnbrook-and-Poyle Major 27th December 2010
Applicant:	Goodman Logistics Development (UK) Ltd		
Agent:	Barton Willmore The Observatory, Southfleet Road, Ebbsfleet, Kent, DA10 0DF		
Location:	SIFE, Land North of A4 Colnbrook By Pass, And West Of Lakeside Road, Colnbrook By Pass, Slough, Berkshire, SL3 0FE		
Proposal:	<p>(OUTLINE APPLICATION) CONSTRUCTION OF A RAIL / ROAD FREIGHT INTERCHANGE COMPRISING AN INTERMODAL TERMINAL AND CLASS B8 DISTRIBUTION UNITS, TO INCLUDE:</p> <p>INFRASTRUCTURE TO ENABLE THE EXCHANGE OF FREIGHT BETWEEN ROAD AND RAIL, INCLUDING RAILWAY SIDINGS WITH A CONNECTION TO THE COLNBROOK BRANCH LINE AND AN INTERMODAL TERMINAL INCORPORATING TWO OVERHEAD GANTRY CRANES AND EXTERNAL CONTAINER STORAGE;</p> <p>CLASS B8 DISTRIBUTION UNITS (UP TO 194,836 S.Q.M. FLOORSPACE), TO INCLUDE ASSOCIATED LANDSCAPING, ACCESS, PARKING AND SERVICING AREAS;</p> <p>LORRY PARKING AREA INCLUDING FACILITIES FOR DRIVERS;</p> <p>TWO VEHICULAR ACCESSES ON THE A4 COLNBROOK BY PASS AND OFF SITE JUNCTION IMPROVEMENTS (AT M4 JUNCTION 5, A4 JUNCTION WITH SUTTON LANE, A4 JUNCTION WITH STANWELL MOOR ROAD, A3044 JUNCTION WITH AIRPORT WAY AND M25 JUNCTION 14);</p> <p>CREATION OF NEW PUBLIC RIGHTS OF WAY, IMPROVEMENT WORKS TO EXISTING PUBLIC RIGHTS OF WAY AND DIVERSIONS TO EXISTING PUBLIC RIGHTS OF WAY;</p> <p>ENGINEERING OPERATIONS TO REMODEL GROUND LEVELS;</p> <p>NEW LANDSCAPING INCLUDING WOODLAND AND SHRUB PLANTING, GRASSLAND AREAS AND WETLAND CREATION AND NEW BOARDWALK ADJACENT TO OLD SLADE LAKE.</p>		

Recommendation: Refuse



P/14961/000

1.0 SUMMARY OF RECOMMENDATION

1.1 Refuse for the reasons set out at the end of the report.

PART A: BACKGROUND

2.0 Proposal

2.1 An application has been submitted by Goodman International for outline planning permission on 58.5 acres land to the north of Colnbrook bypass to provide a Strategic Rail Freight Interchange (SRFI) known as 'Slough International Freight Exchange' (SIFE) with access arrangements to the A4. The proposal will provide three B8 storage and distribution warehouses of up to 193,926sq m, an intermodal terminal with associated freight handling equipment, and associated servicing, parking, access and landscaping areas. The application is for 24 hours a day, seven days a week operation.

2.2 The application was accompanied by an Environmental Statement and advertised in the Slough Express on October 22 2010 in accordance with the Town and Country Planning Regulations 1990. An Addendum to the Environmental Statement was submitted and advertised as required on July 15 2011.

2.3 Each of the three warehouses will include ancillary functions such as offices, service yards for HGV functions and car parking. Two units will be rail connected. Maximum heights are given as 18.5m, with indicative floorspace and areas as follows:

Unit A	54,650 sqm	(55,190 external)	281m by 193m
Unit B	66,347sqm	(67,023 external)	449m by 146.5m
Unit C	72,000sqm	(72,623 external)	305m by 234m

The intermodal terminal sits between warehouses A and B, and is about 61m x 378m in area, which will consist of the following:

4 x 400m railway sidings under two 25m high gantry cranes, hardstanding for loading, unloading and storage of intermodal units or 'wagons': these vary in size, but it is estimated 500-1000 containers will be stored in stacks approximately 3 units high.

2.4 The intermodal terminal will serve the warehouses and off-site non-railway linked facilities in the wider area, and connect via the Colnbrook branch lane to the Great Western Mainline at West Drayton Junction. This will require the construction of four parallel railway sidings to the north of the site connecting to a new single track rail access to the east to be provided via a new engineered embankment on the north bank of Old Slade Lake Local Wildlife Site.

2.5 The applicant predicts that rail use will increase over time, with all warehouses predicted to be occupied after five years, and the site fully operation after 10-15years. The applicant predicts up to nine trains per day inbound and outbound could use the facility throughout the 24 hour period. This would account for 25% of incoming freight. Nothing is predicted to go out by rail, and the remaining 75% of freight would be road to road. It is argued this is reasonable expectation for a regional distribution centre.

- 2.6 Two access routes to the site will be provided from the A4 Colnbrook Bypass: a signalised entry and exit about 475 metres west of the Colne Bridge, and an entry only slip road for HGVs only entering the site from the west, to be located about 50 metres west of the Colne Bridge.
- 2.7 A series of off site road and junction improvements have been proposed to address the impacts of HGVs routes to the M4 Junction 5 via Sutton Lane Gyratory, and the M25 via the A3113 Airport Way/A3044 Stanwell Moor Road.
- 2.8 A package of green travel measures would be delivered in connection with promoting staff access to the site from local areas.
- 2.9 386 cycle spaces and 50 motorcycle spaces and 1,000 car parking spaces are proposed including 50 car parking bays for disabled users, this is approximately one car parking space per 200sqm internal area.
- 2.10 It is estimated that SIFE could generate as many as 1,615 one way HGV movements per day (3230 in total) according to the transport assessment. In addition it is estimated that there could be an estimated 1,790 one way cars and light vehicle movements per day (3580 in total). This means that SIFE would generate a total of 6,810 traffic movements per day.
- 2.11 The proposed development is anticipated to create the equivalent of up to 2,800 full time jobs directly, and the equivalent of 840 jobs indirectly. The majority of staff will work in a three shift basis over the 24 hour period, with office
- 2.12 A programme of improvements to the footpath and bridleway, and a landscape and green infrastructure strategy will be delivered. A series of measure would be implemented in order to mitigate for, protect and enhance the natural environment and biodiversity of the site including the effective management of habitats, including Old Wood, grassland areas and tree planting.
- 3.0 **Application Site**
- 3.1 The application site in Colnbrook comprises 58.5 hectares of greenfield land bounded to the north by the M25 and to the north east by the Thames Water Sewerage Works. The south eastern boundary runs to the west of the Colne Brook, the Colnbrook lakes and the Grundon Waste management incinerator. The southern boundary abuts the A4 Colnbrook bypass and to the west is the Biffa landfill operation.
- 3.2 The application site is located within the Colne Valley Park and Metropolitan Green Belt and Strategic Gap. The area was formerly used for gravel extraction and as a landfill site, which has been restored.
- 3.3 The central part of the site contains an area of open grassland, currently largely grazed by horses, and with some local biodiversity value. A strip of land to accommodate the rail link in the north east corner runs parallel to the M25 and over the northern bank of Old Slade Lake Local Wildlife Site. Several public right of way and informal paths run around and across the site, and the strategic Colne Valley Trail, which forms part of National Cycle Route 61 and Slough Linear Park, runs along the eastern site boundary.

- 3.4 The applicant owns land to the west of the site which includes Old Wood Local Wildlife in the north west and Horton Brook running north to south, giving a combined area of almost 80 hectares. Also in the applicant's ownership but outside of the application site is Colnbrook West, a waterbody in the southeast corner of the site, which also forms part of the Old Slade Lake, Orbits Lake and Colnbrook West Non Statutory Informal Nature Reserve (Site Allocation SSA25).
- 3.5 The Colnbrook branch line is located to the east, which connects to the Great Western Mainline at West Drayton.
- 4.0 **Site History**
- 4.1 The site was previously used for gravel extraction in the 1950s and 1960s and then as a landfill site in the 1970s and 1980s.
- 4.2 The most relevant planning history relates to the previous proposal known as the London International Freight Exchange known as (LIFE) promoted by Argent in February 1999. That application (P/10792/000) proposed a freight exchange including road and rail freight interchange facilities including road and rail served distribution unit to serve the Western side of London and the South East Transit facilities and open storage facilities, internal road and railway system sidings and connections to the Poyle freight line and parkland and outdoor recreation facilities. The majority of the site was within Slough Borough Council boundary, with part falling within London Borough of Hillingdon.
- 4.3 The site covered 182 ha of land, much larger than that proposed for SIFE, but in the same location, bounded to the north by the M4 and the south by the A4. The Argent site reached further west to the residential area of Brands Hill, and further east to the M25.
- 4.4 Argent submitted further proposals in June 1999, modifying its plans for the new and upgraded rail infrastructure along the Great Western Main Line which provided for additional rail capacity on the network and included works at West Drayton Station.
- 4.5 That proposal incorporated approximately 200,000 sq.m. of buildings (9 units), plus a large intermodal terminal capable of handling up to 20 trains per day. The scheme also included rail improvements at West Drayton and on the Great Western Mainline. These were to allow longer trains to pass through the junction at West Drayton and to upgrade the bridges east of West Drayton to allow modern containers to pass on rail wagons. LIFE included improvements to the Poyle Freight Line and extensive areas of landscaping and recreation space, environmental and amenity works and a new network of publicly accessible ways and areas.
- 4.6 The application was refused on 1st June 1999 and then went to a public inquiry in August and September 2002. The proposal was dismissed on appeal principally because the Secretary of State did not consider the benefits of the scheme to outweigh harm to the Green Belt.
- 4.7 In reaching this decision the Secretary of State came to a number of conclusions.
- 4.8 Firstly he came to the conclusion that although there was a "policy need" for the facility,

which had been made clear by the Government and the Strategic Rail Authority, he did not consider that an over-riding need had been established for the proposed development and refused the application on this basis.

- 4.9 Secondly he found that the development would reduce the openness of the area and conflict with the first three purposes of including land in the Green Belt. He consequently refused the LIFE application on the grounds that were not any very special circumstances that would justify inappropriate development in the Green Belt.
- 4.10 Thirdly he concluded that the site was part of the countryside and had a semi rural character, some parts being more rural than others. He found that the development would be perceived as a large-scale urban intrusion partly screened by artificial embankments.
- 4.11 Fourthly the Secretary of State agreed with the Inspector that even allowing for the proposals for boundary bunds and planting the LIFE development would be far from invisible and accepts the Inspector's view that the development would be perceived as a large-scale urban intrusion, partly screened by artificial embankments.
- 4.12 Fifthly the Secretary of State agreed with the Inspector that the proposal would involve urbanisation of one of the narrowest sections of the Colne Valley Park.
- 4.13 Finally the Secretary of State agreed with the Inspector's conclusions that adjectives such as "huge" or "massive" to describe the effect of the development in this instance were apt and walkers in the area would have the feeling of walking around an industrial park rather than a rural or semi rural area."

5.0 **Neighbour Notification**

Biffa Waste Services Ltd Colnbrook Landfill Site	Foster Yeoman Land Adjoining Staines Railway Colnbrook By Pass
Spearmint Rhino Gentlemens Club Colnbrook By Pass	Materials Recycling Facility Tanhouse Farm (Area 22) Lakeside Road
Speedway Farm Colnbrook By Pass	Iver South Sewage Works Lakeside Road Colnbrook
Slough Scrap Metals Ltd 307-311, Colnbrook By Pass	Lakeside Industrial Estate: Cathay Pacific Airways Hellmann International Forwarders Ltd Grundon (waste) Ltd Heathrow Truck Centre Lakeside Industrial Estate (contined...):
Mill Street, Colnbrook: Marita 1 – 6 (all, each) Ryefield Terrace 1- 2 New Cottages	Veterinary Drug Co Plc N C N Parcel Service, Unit 6-7
Riverside Transport Café Colnbrook By Pass	
Leada Acrow Ltd	

Colnbrook By Pass

Mobil Oil Co. Ltd
Chequers Petrol Station
Colnbrook By Pass

Colnbrook Logistics Centre
Colnbrook By Pass

London Concrete Site
Colnbrook Logistics Centre
Colnbrook By Pass

Classic Movements Ltd, Unit 6-7
J E Bernard & Co Ltd
Imperial Polythene Products Ltd
Inline Moves Ltd
Terrys Trunk Store (aas)
D S V Samsom Transport Ltd
Airport Connection
D F D S Transport (air) Ltd
Total Logistics Management Ltd
B O C Ltd

6.0 **Consultation**

6.1 Site Notices were placed around the site at following locations:

- Colnbrook bypass
- Lakeside Road
- Old Slade Lane

6.2 Notice of an application for planning permission accompanied by an Environmental Statement was placed in the Slough Express on October 22 2010. Notification of the EA addendum was placed in Slough Express on the 15th July 2011.

6.3 The following were sent a letter by post notifying them of the proposal, a CD Rom of the details, where details could be inspected and how to make a response.

Aerodrome Safeguarding, BAA Airports	National Grid
British Horse Society	Natural England
British Pipeline Association	Network Rail
Buckinghamshire County Council	Railway Health and Safety
Colnbrook-With-Poyle Parish Council	Rambler's Association
Colne Valley Park Partnership	Royal Borough of Windsor & Maidenhead
Council for the Protection of Rural England	South Bucks District Council
Cross London Rail Links Limited	Spelthorne District Council
Environment Agency (Dvpt Control)	StopSIFE Campaign
Environment Agency Thames Region (South East Area),	Transport for London
Heathrow Airport Limited (HAL)	Thames Valley Police
Highways Agency	Transco Thames Valley
London Borough of Hillingdon	Thames Water
	Transco, Thames Valley West District,

6.4 Representations have been received from 42 representors as follows:

6.5 **Aerodrome Safeguarding, BAA Airports**

BAA has no aerodrome safeguarding objection to this proposal.

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions below:

- Bird Hazard Management Plan

- Submission of Landscaping Scheme
- Submission of SUDS Details
- Use of Cranes

6.6 BAA fuel depot

No problem for capacity at Colnbrook as rail deliveries are infrequent and largely at night if they do occur. The operators of Poyle depot are comfortable that there is sufficient capacity on the line to continue as at present with the necessary deliveries.

6.7 BBOWT Berks, Bucks & Oxon Wildlife Trust , Conservation Officer (Berkshire)

BBOWT made the following representation on the Environmental Statement addendum (ES). This new information does not change our previous response dated 30th November 2010.

1. Impact of breeding birds

We remain concerned over the loss of skylark territories. The density of breeding skylarks has been shown to be lower on fields surrounded by tall boundary structures and those with unsuitable habitat (Wilson et al. 1997). We would therefore encourage the developer to allocate greater areas as compensation habitat either on-site or by investigating potential adjacent sites.

Section 3 of Table 16.1: Summary of Mitigation and Monitoring Measures should make clear that if works occur during the breeding season, a professional ecologist is employed to ensure that there is no breach of the law dealing with the protection of breeding birds.

2. Impact on wintering birds

An amendment should be made to Section 3 of Table 16.1: Summary of Mitigation and Monitoring Measures as we believe that the 'disturbance of birds using Old Slade Lake LWS during the breeding season' should read during the 'wintering' season.

3. Tree removal on the Colne Brook

The mitigation measures for the tree removal are acceptable. As deadwood is recognised for its importance for biodiversity, consideration should be given to retaining wood from the cut trees on site.

Their previous response was as follows:

- 1 Impacts on the South West London Waterbodies SPA : BBOWT considers the Colnbrook Gravel Pit Complex to be an important resource for the SPA birds as the maximum counts of Gadwall and Shoveler over the four winter seasons of surveying demonstrate that a significant number of birds continue to use this complex at certain times of the season. Indeed, the fifth highest numbers of Gadwall were recorded on this complex out of the 67 sites, including those comprising the SPA, that were studied in Brian Brigg's three year doctoral

research¹. This research indicates that food resources and disturbance levels change significantly between years and even over a single winter. Both Gadwall and Shoveler change their site preferences in response to these environmental changes and move to preferential sites. It is not sufficient to protect the SPA sites alone without regard to the populations of Gadwall and Shoveler on other waterbodies in the vicinity.

Taking into account the proposed development and, in particular, the lower maximum counts of Gadwall and Shoveler recorded on the Colnbrook North gravel pit which will suffer the greatest effects in terms of land take and disturbance, BBOWT considers that it is possible to conclude that there is no likely significant effect on the SPA but only where the following can be secured prior to grant of outline planning permission :

- a. A condition preventing construction works near the Colnbrook Gravel Pit Complex from being undertaken during the winter period;
- b. An enhancement plan for the re-profiling of the north bank of the Colnbrook North gravel pit should be agreed with Natural England prior to grant of outline planning permission and secured by condition. This should include:
 - i. the exact compensation habitat to be provided along the northern bank and, specifically, extensive shallow areas to provide replacement foraging habitat for the SPA birds;
 - ii. measures to prevent silt from construction works being lost into the gravel pit;
 - iii. native tree and shrub planting on the re-profiled embankment and a programme of replacement for dead specimens;
 - iv. preferably the removal of the proposed boardwalk and fishing platforms which, in our view, would bring further disturbance from people as a result of the increased access to the north bank. However, if access is essential, it should be properly screened with the new planting and not as stark as illustrated on the Landscape Strategy Plan and in the Landscape and Green Infrastructure Strategy;
- c. A condition requiring an ecological management plan (and any subsequent amendments) to be agreed with the Council prior to operation, to be implemented and to be regularly reviewed. This should, amongst others, set out:
 - v. a maximum speed limit for all trains operating along the sidings and a requirement that such trains should use appropriate lubricant to minimise noise that could disturb the SPA birds using the Colnbrook Gravel Pit Complex;
 - vi. a five year monitoring plan to assess the wintering birds using the Colnbrook Gravel Pit Complex using the same methodology as employed in FPCR's SPA Species Survey Report (Appendix A12.8 of the ES) but also noting any disturbance events. Data from these surveys should feed

¹ The use of waterbodies in South-West London by Gadwall and Shoveler; implications for nature conservation (2007).

back into the management plan and necessary actions implemented. This data should be made available to the Council, Natural England, BBOWT, the Thames Valley Environmental Record Centre and the RSPB;

- d. The Council must satisfy itself, taking into account advice from the Environment Agency, that there is no risk of contamination either from the proposed development or from disturbance of historic contamination from the on-site landfill entering the watercourses and the gravel pits. A Construction Environmental Management Plan (CEMP) must be agreed and secured by condition to provide the necessary protection.

In the event that this mitigation and compensation can be secured, in our view, the Council would not need to carry out an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010. Failure to secure this mitigation would mean that there remains a risk of a likely significant effect and an Appropriate Assessment would be necessary. In our view, it would not be possible to demonstrate no adverse effect on the integrity of the SPA without these measures in place.

Please note that this assessment is based on the information provided in the application including approximately 9 train movements per day. If this is to materially change, further assessment under the Habitats Regulations would be necessary.

- 2 Impacts on Breeding and Wintering Bird Populations within the Site: The breeding and wintering bird surveys demonstrate a significant assemblage of species that use the existing semi-improved grassland areas. We are disappointed to see that adverse impacts are expected for some red and amber listed species as a result of this development. Only small fragments of new meadow habitat are proposed as mitigation. According to the surveys, these mitigation areas are already used by breeding birds such as skylark and it is difficult to conclude how much extra capacity these areas can provide. We would encourage the developer to allocate greater areas as compensation habitat either on-site or by investigating potential adjacent sites. Use of green or brown roofs should be considered on the large units to offer habitat for invertebrates and possibly foraging areas for more disturbance tolerant bird species. Swift boxes could also be considered as a means of building-in beneficial biodiversity features within the development, a concept promoted by paragraph 14 of Planning Policy Statement 9 (PPS9).
- 3 Impacts on Old Wood Ancient Woodland: PPS9 highlights the importance of ancient woodlands which are irreplaceable and, as a result, planning permission should not typically be granted for development that would result in the loss or deterioration of ancient woodland (paragraph 10). In this case, it is not clear how close the new rail link will come to the ancient woodland. A 15 metre buffer zone should be maintained between the railway link and the existing ancient woodland to protect it from ground and root damage and disturbance. This buffer zone is specified in Natural England's extant Ancient

² See page 11 of the extant Standing Advice: http://www.naturalengland.org.uk/Images/ancientwoodland_tcm6-10267.pdf.
And pages 17-18 of the new consultation draft:
http://www.naturalengland.org.uk/Images/aw_consultation_full_guidance_tcm6-23523.pdf

Woodland Standing Advice and its new consultation draft² and has been approved in recent appeal decisions as noted in the Standing Advice.

Any upgrades to footpaths within the woodland should be sensitive to the site and not formal in nature. The management plan for this area will need to address the issues of scrambler bikes, fly tipping (including of non native invasive plants) and recreational issues such as littering.

We welcome this ancient woodland being brought into active management with selected felling and coppicing and new planting to the south. The long term aim should be to restore it to Local Wildlife Site quality.

- 4 Other Comments: We welcome certain aspects of the scheme such as the proposed native tree and shrub planting to soften and screen the various boundaries of the site, the proposed wetland and marshland areas. The mitigation and compensation measures identified in the Environmental Statement should be secured by condition. Of particular importance is the need to secure an environmental management and monitoring plan to ensure the appropriate long term management and monitoring of the green areas. This should be secured by a Section 106 obligation with a specified sum allocated to ensure that funds are available in the long term.

6.8 Berkshire Archaeology

Berkshire Archaeology made the following representation on the Environmental Statement addendum (ES).

The information supplied about the underpass is fine, revisions to the floodplain compensation conveyance capacity and all other impacts are fine because all impacts – be they deeply buried or at ground level – will be mitigated if those responsible for implementing the permission take into account the comments of my colleague Paul Falcini.

Should the proposal go ahead the applicant should seek advice from Berkshire Archaeology on the details to be included within the impact assessment and the subsequent Written Scheme of Investigation.

Their previous response was as follows:

There are some potential archaeological implications to this proposal, because of the likely groundworks for the proposed development. The site lies within an archaeologically rich area of the Thames Valley as is recognized by the Historic Environment Assessment submitted with the application. That assessment identifies areas where previous activity, mostly quarrying, has removed any archaeology and areas where archaeology may remain. The main areas with potential archaeological survival that will be impacted by the development appear to be the proposed alignment of the approach railway tracks to the south of the M4 and in the south western area of the site where flood alleviation measures, balancing ponds, and the road access are proposed.

Archaeological impact assessment

We recommend that a detailed impact assessment is undertaken when sufficiently detailed designs and method statements of the new works in the relevant areas are available. This impact assessment should take account of all impacts from temporary, enabling and permanent works related to the proposal and set out any relevant constraints such as contamination or protection zones around sensitive areas. Unless this impact assessment clearly demonstrates that impacts will not occur, with secure buffer margins to ensure protection, we would expect any areas of archaeological potential to be subject of a written scheme of investigation for archaeological evaluation and an appropriate programme of mitigation. The archaeological evaluation should be carried out at the earliest feasible opportunity so that preservation in situ of important remains might be achieved through design solutions.

It is therefore recommend that a condition requiring a programme of archaeological is attached to any planning permission granted.

6.9 British Pipeline Association (BPA)

BPA do not have any objection to the proposals but wish to ensure that any works in the vicinity of the pipeline are carried out in accordance with their safety requirements.

6.10 Buckinghamshire County Council (BCC)

Buckingham County Council made the following representation on the Environmental Statement addendum (ES).

Buckinghamshire County Council as the adjacent Highway Authority is submitting a final response in relation to the S.I.F.E planning application. This should also be taken as our official comments.

The initial consultation response from Buckinghamshire County Council in November 2010 raised a holding objection to the development based on four main areas of concern; insufficient information had been submitted to show that there would not be any adverse implications on the Local Highway Network within Buckinghamshire, that the development seemed to be predominantly a road to road freight facility given the low usage of the rail link connection, the absence of an acceptable sustainable link to Richings Park in Iver and lastly that the applicants had not made sufficient provision for accessibility to the site by non car modes of travel.

Applicant's Case

Since November 2010 there has been limited contact with Goodman/Fairhurst. The final letter sent on behalf of the applicants dated 20th July 2011 makes the case that because the Inspector did not query the highways assessment undertaken for the Radlett site in Hertfordshire, and concurred that the S.I.F.E site was no less accessible than Radlett, the applicants feel that this proves the SIFE Site is acceptable in all aspects.

However, the applicant's case cannot be based on a comparison between the

Radlett site and the application site and the development needs to be considered in the context of the surrounding Local Highway Network. The applicant's have not addressed the concerns raised by Buckinghamshire County Council with regard to the likely highways impacts. Despite the proximity of the County boundary, no assessment on the Buckinghamshire Local highway network has been undertaken. The concerns relate to the impact of the 3,000 employees and large goods vehicles as enforcement measures for any routing agreement remain unknown at this stage. Although it would appear that the concerns from Slough Borough Council, the Highways Agency and the adjacent London Borough of Hillingdon to the east of the site may be addressed, Buckinghamshire County Council as the adjacent Highway Authority still has significant concerns regarding the development.

Impact on Local Highway Network

Since the initial response in November 2010 South Bucks District Council have adopted their Core Strategy. Policy CP16 relates to the South of Iver and highlights a number of areas where developments could not be supported, including any increase in the numbers of large goods vehicles. The Transport Assessment makes reference to vehicles only travelling on the Strategic Motorway Network through junction 5 of the M4 or junction 14 of the M25. Given the congestion on the M25 during peak times, vehicles heading north/south to/from the M1/M40 may bypass the M25 between the M4 and M40 and use the alternative local roads through Langley, Richings Park and Iver. Introducing a facility that concentrates movement onto one of the most critical parts of the National motorway network will be likely to result in the use of the local highway network. The B470, Iver High Street, North Park, Thorney Lane North and South and Thorney Mill Road all experience significant levels of large goods vehicles. In addition, there are already three industrial estates accessed from Thorney Lane which generate a significant number of heavy goods vehicles in the area and the industrial estates to the south west of Hillingdon also result in large goods vehicles travelling through Buckinghamshire due to weight constraints on the roads into Hillingdon.

Traffic Modelling

Although Slough Borough Council and the Highways Agency may be satisfied with the modelling that has been undertaken; however the views of Buckinghamshire County Council on which junctions to model were not sought. The modelling work mainly considers large and light goods vehicles travelling to/from the application site via the motorway network and does not assess the impacts of 3,000 employees or the affect on the Local Highway Network. Clearly not all vehicles associated with S.I.F.E will travel via the M4. The applicants have mentioned that traffic from S.I.F.E could alternatively use junction 14 of the M25 instead of junction 5 of the M4. It is appreciated that this junction is not within Buckinghamshire; however it is a convoluted route and vehicles could not travel via Colnbrook High Street due to restrictions, the route via Horton has speed reducing measures and is narrow in parts.

In April 2011 Buckinghamshire County Council published the Local Transport Plan 3 which highlights a number of roads within the County suffering from existing congestion, the A412, B416, A355, A4 and B470 have all been classified as

interurban priority congestion management corridors. Clearly a development on the scale of S.I.F.E without effective enforcement measures for any routing agreement, as well as the significant numbers of employees would have an adverse impact on Buckinghamshire and the existing congested Local Highway Network. The LTP3 also highlights that the M25 and the M40, particularly Junction 1 of the M40, suffers from severe congestion. Although the motorway network is within the remit of the Highways Agency and improvements are being proposed, Buckinghamshire County Council is concerned that the existing congestion on the motorway network would lead to large goods vehicles and general traffic associated with S.I.F.E finding alternative inappropriate routes.

The absence of predicted LGV traffic on Sutton Lane and hence on traffic-sensitive routes within Buckinghamshire relies on the site's management plan to impose routing agreements on operators. Experience of the effectiveness of such agreements is variable, and the level of compliance is unlikely to be high. A number of factors would contribute towards the likelihood of poor compliance. One would be the tenuous nature of the link between the people promoting the management plan and the people driving the lorries, with site occupiers who would be less enthusiastic about the management plan than the promoters, and with lorry operations often sub-contracted by those occupiers to hauliers who would be even less interested in compliance if it reduced their operational flexibility.

Another factor reducing compliance would be the difficulty of identifying the LGV's travelling to/from S.I.F.E. As mentioned above, haulage movements often involve sub-contracting, so vehicles would in many cases not be recognisable from operator markings. They would not be distinguishable from other intrusive lorry movements already experienced in the Iver area associated with existing premises. The prospect of additional LGV traffic being imposed on the Iver area, alongside priority congestion management corridors as outlined in Buckinghamshire County Council's LTP3 as a result of the development of S.I.F.E. is completely unacceptable.

The Transport Assessment does not account for the full journeys from origin to destination of the goods passing through the exchange and the other vehicle movements associated with the operation. It makes no attempt to estimate the characteristics of the movements that would have taken place if the goods had not used the exchange.

The applicant's base case for LGV movements to and from the site by time of day almost certainly underestimates the impact of the proposal during the road network's peak periods. The analysis places great emphasis on the site's operational characteristics and its management plan, but in reality there are likely to be a number of externally imposed constraints that will emerge. For instance, some retail areas have delivery bans during the most important shopping hours, forcing at least part of the delivery journey to take place at peak periods. Such constraints, along with customer requirements that would not necessarily conform to a distribution centre's management plan, would prevent the achievement of the very low proportion of peak period movements claimed in the base case. Train arrival and departure times are also cited as reasons for very low LGV movements at peak times, but the low proportion of rail-borne goods would prevent this from being a decisive factor. Another supporting reason which is given for low peak period flows of LGV's is the

unattractiveness of operating conditions at these times. This may be true, but no more so for the exchange than for any other haulage activity.

Sustainability

This underestimation of the peak impacts also features in the base case pattern of employee movements. A relationship is imported from a general employment area and then modified to reflect the pattern of shift work at the proposed site. However the resulting distribution does not appear plausible. Given the strictness of most shift work regimes, the whole of the workforce for a shift would be expected to arrive at some time during the hour preceding the official start time for the shift, and this would be expected to result in the arrival of considerably more than the number of cars shown arriving in the busiest hour in the analysis. This also raises concerns for the level of parking provision, the applicant's state that Slough Borough Council and the Highways Agency have agreed to the proposed level although it is significantly lower than the figure that would be required by Slough's parking standards. Sufficient detail in the form of travel planning measures has not been submitted to justify the high deficit. The level of staff working normal office hours has also been underestimated, which along with the shift workers and level of LGV's results in a serious underestimation of the total impact of the site at the most critical times.

The letter from Fairhurst dated 20th July 2011 states that Atkins does not wish for specific details with regard to travel planning, particularly measures to encourage bus use at this stage. However, this level of detail is required at this stage so that the adjacent Highway Authority, Buckinghamshire County Council, can understand the level of car usage by employees.

All possible measures to encourage the use of sustainable travel need to be known at this stage to understand their effectiveness and therefore the impact of the development in parking provision requirements and traffic flow terms. Clearly Slough Borough Council have an keen interest in the local bus services having invested heavily, this should be seen as a benefit given that the Local Planning Authority/Highway Authority would have increased control over what can be proposed at this stage and effectively implemented in the future. There is concern, given that the buildings are approximately 800 metres from the A4 and the nearest bus stops, that even with increased frequency of buses; employees would not walk to the A4 as it is not convenient. If the majority of employees are working long shifts they would not choose to substantially add to this time by taking public transport, which may involve waiting substantial periods of time for buses and/or Trains depending on journey distances. The potential for existing public transport services to meet the needs of the employees for travel to and from the site is not as great as the Transport Statement implies even if there may be increased frequency.

Not all employees within the site will work the suggested shift patterns; there will clearly be employees that undertake 'normal' office hours and therefore a significant impact in the peak hours will clearly occur as well as the more general impact from the vehicle flows associated with the proposal. The letter from Fairhurst dated 20th July estimates that 3% of employees would live near to Burnham, Taplow, Maidenhead, Twyford or Reading Stations and they suspect that few employees would travel by rail. They also note route 81 travels via Heathrow. It should be noted

that 3% of the workforce is 90 people, therefore how do the applicants suspect the remaining 2910 employees will travel to the application site if rail or bus travel will only cater for 90 people?

Policy CP7 in the South Bucks Core Strategy relates to accessibility and transport. New developments that generate substantial transport movements should be in accessible locations and ensure that the impact of new development on the road network is minimised and mitigated through the use of 'mobility management' measures such as travel plans. Clearly the terms of this policy have not been met given that insufficient information has been submitted to satisfy the adjacent Highway Authority. The type of jobs that S.I.F.E would create is unknown in terms of skilled or unskilled, however, given the use of the site and the shift patterns of the workforce funding travel by public transport compared to driving may not be considered a quicker or easier option. Although the applicants are now proposing a bridleway link to the north of the site, no discussions with Public Rights of Way at Buckinghamshire County Council appear to have been undertaken. The connection is also a bridleway and not a cycle/footway which would be required; it is debatable therefore whether the proposed bridleway connection will bring significant direct benefits in terms of significantly reducing traffic flows and encouraging the use of sustainable travel. It is felt therefore that the Transport Assessment does not robustly consider the real impact from the proposal which is the main concern for Buckinghamshire County Council.

Rail exchange element

There is little information available on the usage of the rail line extension other than being limited to only transporting 25% of goods into the site. The applicant's have stated this is usual practice for rail/freight interchanges, there is no supporting information on this however it is clear that the site would therefore generate significant traffic volumes. The proposal as it stands, with the limited information, would raise significant concerns which are the same objections the County Council had with the L.I.F.E proposal. Buckinghamshire County Council has sought to take a proactive approach as demonstrated within the initial holding objection. However, over the past nine months no information has been forthcoming to address the concerns and the information that has been provided raises more questions than answers.

There appears to be confusion as to whether the rail element can/cannot be conditioned. Buckinghamshire County Council has previously been informed that this cannot be conditioned; however the applicants do not agree. If the rail element cannot be conditioned this would serve to exacerbate the issues raised above in relation to the impacts on Buckinghamshire. Although it could be argued that taking away the proposed limited use of the rail line may have little impact. The County Council is concerned that the promotion of this scheme as a rail freight exchange has been overemphasised. The County Council considers that the need argument is fundamentally weakened by the fact that a significant proportion of goods passing through the facility would be on a road-to-road basis. The application estimates that only 25% of goods coming into the warehousing will be by rail and 100% out by vehicle. Therefore the majority of the warehousing capacity would be unrelated to the movement of goods by rail. The predominant function of the proposal would therefore

appear to be a road-to-road distribution facility.

Finally, little regard has been made to the actual construction of the development and the impact on the surrounding Local Highway Network which does not appear to have even been considered.

Therefore Buckinghamshire County Council has no choice but to recommend refusal of the application for the following reasons:

Reason 1: The proposal appears to be a predominantly road-to-road freight facility and accordingly cannot be justified in terms of sustainable transport policy and is therefore contrary to Buckinghamshire County Council's Local Transport Plan 3, Planning Policy Guidance 13- Transport, Policy TR5 of the South Bucks District Council Local Plan and Policies CP7 and CP16 of the South Bucks Core Strategy.

Reason 2: Insufficient information has been provided to demonstrate that the proposal will not lead to an unacceptable impact on Buckinghamshire County Council's Local Highway Network. From the information submitted, it is considered that the additional traffic likely to be generated by the proposal would adversely affect the safety and flow of users of Buckinghamshire County Council's Local Highway Network. This is contrary to Buckinghamshire County Council's Local Transport Plan 3, Planning Policy Guidance 13- Transport, Policy TR5 of the South Bucks District Local Plan and Policies CP7 and CP16 of the South Bucks Core Strategy.

Reason 3: The applicant has not made any provision for a shared cycleway/footway link between the application site and Richings Park to the north and therefore the absence of an acceptable sustainable link would only serve to encourage the use of private vehicles which is contrary to Buckinghamshire County Council's Local Transport Plan 3, Planning Policy Guidance 13- Transport, Policy TR5 of the South Bucks District Local Plan and Policies CP7 and CP16 of the South Bucks Core Strategy.

Reason 4: The applicant has not made sufficient provision to ease accessibility to the site by non-car modes of travel and encourage the use of sustainable travel methods. Employees will therefore be heavily reliant on the use of the private car contrary to sustainable transport policies; Buckinghamshire County Council's Local Transport Plan 3, Planning Policy Guidance 13- Transport, Policy TR5 of the South Bucks District Local Plan and Policies CP7 and CP16 of the South Bucks Core Strategy.

The previous response was as follows:

I have highlighted initial areas of concern that Buckinghamshire County Council, the adjacent Highway Authority, has with the proposal as it stands. I do believe there may be scope to address the concerns given the political climate has significantly changed from 10 years previously. However, the issues outlined will need to be addressed in detail and a realistic assessment of the impact as a result of the development needs to be undertaken.

The proposal as it stands, with the limited information, would raise significant concerns which are the same objections the County Council had with the L.I.F.E

proposal. It is considered however, over the last 10 years times have changed, rather than outright recommending refusal of proposals, if benefits could be obtained from a robustly designed, planned and managed scheme this should be investigated until discussions become futile; this is what the County Council hopes to achieve in briefly outlining the concerns at this early stage.

- 1 Holding objection: [...] I submit a holding objection on behalf of Transport for Buckinghamshire until more information is submitted and the issues raised have been addressed.
- 2 Transport Assessment: The information submitted with the application, in particular, the Transport Assessment does not unfortunately have sufficient detail to assess the realistic impact on the Local Highway Network within Buckinghamshire. Therefore Buckinghamshire County Council as the adjacent Highway Authority is recommending a holding objection until sufficient information is submitted with a view to overcoming the concerns that will be raised in this response. I should note that Buckinghamshire County Council, despite requests to view a draft Transport Assessment, have not been involved in any pre-planning discussions with Goodman about this proposal.

The Transport Assessment only demonstrates that all freight vehicles would utilise the Strategic Road Network and gives no indication of the expected distribution or road movements on the Local Highway Network. Only a limited assessment has been undertaken on cars associated with the significant number of employees, which is where I believe the biggest impact on the Local Highway Network would be, subject to restrictive conditions and a routing agreement limiting the movements of freight vehicles to the Strategic Highway Network. There appears to be limited public transport services for employees during the shift pattern changes and there is no suitable pedestrian/cycle link to Richings Park and Iver to the north which clearly is not sustainable and does not encourage alternative modes of transport.

It is felt therefore that the Transport Assessment does not robustly consider the real impact from the proposal which is the main concern for Buckinghamshire County Council as the adjacent Highway Authority. Assessment on the surrounding Local Highway Network within Slough Borough has provided very conservative estimates on vehicle flows, particularly regarding the impact on the Sutton Lane roundabout which clearly will be much greater than predicted if vehicles are travelling to junction 5 of the M40 or from surrounding areas for employment. No assessment of the Local Highway Network within Buckinghamshire has been undertaken despite the close proximity to the County boundary. However it is clear given the applicants feel there will be little impact on the Local Highway Network within Slough Borough then presumably they feel the impact within Buckinghamshire will be minimal also which clearly will not be the case with a development of this size. I do not believe all employees within the site will work the suggested shift patterns; there will clearly be employees that undertaken 'normal' office hours and therefore a significant impact in the peak hours will clearly occur as well as the more general impact from the vehicle flows associated with the proposal.

- 3 BCC Local Highway Network: It is for the applicant Goodman to demonstrate to

the County Council that the development would not have any adverse implications on the Local Highway Network within the County. It may be that justified mitigation measures can be implemented to limit the impact on the Local Highway Network.

The information that has been submitted with the application is insufficient to demonstrate to the County Council that the proposal as it stands would not lead to an unacceptable impact on the County road network. The development has the potential to produce significant vehicle movements on the local highway network within Buckinghamshire County Council contrary to local transport policies.

The main impact on Iver and the local highway network within Buckinghamshire would potentially be from the 3000 employees travelling to/from the site; the unsociable shift patterns would only serve to increase the number of employees driving private vehicles to the site instead of using public transport services. The main impact on the surrounding Local Highway Network would be, from where employees would travel from; given the site would be a significant employment generating use. This assessment is subject to robust implementation of restrictive measures for freight vehicles which obviously needs to be investigated in more detail.

- 4 Transport modelling/ travel planning/ HGV routing & movements: In the last 10 years transport monitoring and modelling technology has significantly progressed and methods of communication have improved which could now potentially benefit a large development scheme like S.I.F.E. However, these would need to be used effectively to ensure routing agreements are enforced and hefty financial penalties are used to deter breaches which could be more easily identified when L.I.F.E was proposed.

Travel Planning is also now the forefront of transport policy making; however, robust sustainable travel strategies are needed for developments which will impact on the highway network and this forms an important part of any highway assessment. I do not believe the applicant has sufficiently explored all sustainable transport measures for this site and clearly sustainability does not appear to be an important objective of the scheme. However it is too early in the assessment stage for the County Council to make any detailed comments on whether transport/highway mitigation measures could overcome concerns as the fundamental issues have not been addressed. However any future agreement on potential mitigation measures, if the proposal reaches that stage, would need to form part of detailed discussions between the County Council, the applicants and Atkins on behalf of Slough Borough Council given the Local Highway Network crosses different authorities.

The County Council raised serious concerns with the L.I.F.E proposal in terms of heavy goods vehicles in environmentally sensitive areas like Iver to the north. I do not believe that this would be the case from this latest proposal, as already stated restrictive conditions and routing agreements could be used to limit the impact on unsuitable roads and technology has progressed to ensure robust monitoring of large goods vehicles can be undertaken with severe penalties.

Although a routing agreement has been noted by the applicant, without the fundamental issues being overcome, it is not clear whether penalties and restrictive conditions could address the concerns or be effectively enforced at this stage.

There most likely could still be an impact on the Local Highway Network further to the west, namely the A412, A355 and A4. During peak times the M25/M4 is congested and freight vehicles would bypass the Strategic road network in favour of the Local Highway Network, particularly given the Motorway Service Area at Junction 2 of the M40 opened a year ago and leads directly onto the A355 and A4 to the application site. The MSA has lorry parking which only serves to strengthen this concern. The MSA was clearly not in existence 10 years ago. If anything, freight vehicles would utilise the classified through routes from the M40 to the A4 and not the residential through routes in and around Iver and more environmentally sensitive areas if the Strategic Road Network is congested at peak times. No information has been submitted on the potential type of end user for the site, who will the site be aimed at?? This clearly would be the greatest indicator of the impact on the Local Highway Network.

- 5 Rail use: From assessing all the submitted information it is clear that this proposal is predominantly a road to road freight facility and not a rail to road facility, therefore it is not justified in terms of sustainable transport policies which require the optimum use of rail for carrying freight reducing heavy road vehicle mileage. However, the site has potential to make the fullest use of rail as the new western rail link could provide the opportunity for passenger services to Heathrow which has the potential for support from the County Council if managed effectively.

There is limited information available on the usage of the rail line extension other than being limited to only transporting 25% of goods into the site. The County Council wishes for details on why the rail network usage has been limited to such a degree which is not forthcoming in the submitted information; is there scope for this to increase? It is clear that the majority of the warehousing capacity would be unrelated to the movement of goods by rail and the 'interchange' element of the proposal therefore appears to be insignificant. As stated the rail usage is minimal and the sites location would mean any goods being transport to/from outside the UK would most likely have to travel through London's railway system to the south coast; therefore the viability of the proposal is called into question. I also see no in-depth analysis of other potential sites, only the backing by central government by refusing the RADLETT site which clearly has prompted this application.

- 6 Comparison with LIFE: As you are probably aware Buckinghamshire County Council strongly supported a refusal of the London International Freight Exchange in 2000/2001 which went to a public inquiry. It would appear that this latest application for S.I.F.E is largely similar to the previous application for L.I.F.E. However what has changed over the last 10 years is the political climate; hence this latest application has been submitted with the perceived backing of central government due to the dismissal of Radlett in St Albans. The political emphasis does not override local transport policies; however the political input is noted by the County Council.

6.11 Campaign to protect Rural England (CPRE)

CPRE would like to register their objection and note the following below:

1. The loss of the strategic gap between Slough and London is not purely an issue for the local community

Having lost 97 per cent of our lowland grassland 80 per cent of our wetlands and 150,000 miles of hedgerows a preference to build on Green Belt as opposed to brownfield cannot be mitigated by putting a few peripheral areas under “active management” Any loss of agricultural land is indefensible.

The applicant claims use of this Green Belt is justified for SFRI development by “its relatively enclosed character”, “enduring boundaries around its perimeter” and its ability to maintain “ separation between the main surrounding settlements

The exact same criteria can be used to defend the continued existence of the Strategic Gap.

2. The Applicant has carried out an inadequate Alternative Sites Assessment, which fails to take into account brownfield sites

The defunct SRA’s Strategic Rail Freight Interchange Policy (March 2004) stated that the required rail freight capacity for London and the South East would be met by three or four new SRFIs in the region, supplemented by smaller locations within the M25 ring, and that suitable sites were likely to be located where the key rail and road radial intersect with the M25. It does not necessarily follow that the best location for distribution warehouses to meet market demand is the same as that for SFRI.

If the proposal is truly strategic in nature and in the interests of long term sustainability , the business case should support the longer term payback period associated with brownfield acquisition and development

No doubt it is easier and cheaper to develop on Green field sites but there are 66,000 ha of brown field sites are currently available in England, mainly in the southeast, and man hundreds of thousands of square metre of vacant warehousing in Colnbrook and Poyle alone

On the basis that it has not been proven that there are no other viable alternatives to the site the very special circumstances necessary to justify the inappropriate development in the Green Belt have not been demonstrated and the application should therefore be refused.

3. It is clear that this will primarily be a road to road based distribution facility and the claim for sustainable distribution is not met.

Only two of the three warehouses will be connected to rail sidings, while only one is intended to be intermodal. This suggests that the scheme hardly counts as a Strategic Rail Freight Interchange SFRI being a small RFI at best

The applicant notes that warehousing space created may command a premium rental value as “a consequence of the popularity of the general location and demand coupled with general limitations of supply; particularly of large sites in single ownership”

This should be a material consideration for the application and indeed there is a considerable amount of warehousing property currently available in the in area

4. The Applicant refers to a neglected site and glosses over the value it has for wildlife or local ecology

While minor new habitats may well be created as part of the SIFE proposal, the risk of disturbance to existing species during and after construction from noise, pollution and vibration could be devastating.

Protected species on the site include: Kingfisher, Pipistrelle Bats, Grass Snake, Slow Worm Common Frog and Bullhead. “Red List” birds include the Song Thrush, Linnet, Bullfinch and Reed Bunting. This is an important areas for small mammals, reptiles, amphibians, invertebrates, and other rare species including Variable Damselfly, water beetles and the Small Flowered Buttercup

CPRE remain committed to the principle of freight on rail but we find no merit in these current proposals. Should the application be resubmitted or subject to appeal there we would like the opportunity to submit further comments.

6.12 Colnbrook Community Association

We are a grouping of residents set up to represent the interests of the people residing in the area, working along with the Councils and other independent groups operating in the ward of Colnbrook with Poyle.

We wish to convey to you, the decision makers, the opposition that the people of Colnbrook and Poyle have regarding the Goodman International S.I.F.E. planning application.

Historically Slough Borough Council has always refused this particular form of development request, going back to the Argent L.I.F.E. proposal of about 2002/3. Although there is a belief that once again this current application would most likely receive a similar decision, we also realise that the intervention of the Secretary of State into the Radlett inquiry, and his subsequent comments about the Colnbrook site, has put undue pressure on, whilst pre-empting, any decision that the Planning Committee has the freedom to make.

We would urge that when this application comes before Committee that you can find enough evidence to refuse it, even though it is inevitable that the applicant will appeal.

The voice of the community will be behind Council in a strong and practical manner throughout the Appeal Process.

We would also emphasise that while this application is not lacking in technical reports and expert evidence in an attempt to justify the neutral effect that the community is likely to experience, the real problems are as follows:

- 1 Core Strategy: The disregard of the Local Development Framework Core Strategy paragraph 7.16 (Spatial Strategy) and Paragraph 7.25 (Green Belt & Open Spaces).
- 2 HGV Routing: The route container vehicles will use will take them through the area of Colnbrook which has the most unsafe air quality (EU figures), impacting particularly on the health of the residents of Brands Hill and the Westfield Estate, but also the wider populations of the surrounding areas.
- 3 Highway works: The minor 'tinkering' with the road network will not have any dramatic effect on traffic flow along the A4 Colnbrook Bypass - drastic changes are needed to carry the additional 3,200 HGV's a day that the application suggests. Unless the remedial measures taken can dramatically increase the traffic speed, the air quality and congestion approaching J5 of the M4 will only get worse. [In 2008 a figure of 4.5mph was quoted over a 12 hour period, 8am - 8pm whilst from 7am - 9am and again from 5pm - 7pm an average speed of 1.8 mph was quoted (Source: evidence given at Jayflex inquiry prior to the quarry traffic commencement).
- 4 Impact on wildlife and communal open space: The. E.S. attempts to portray the land as of poor quality and uncared, and that the development would enhance the biodiversity of the land. We would argue that Green Belt is not managed in the way 'manicured' park land would be. Species inhabit areas that are naturally evolving and as many as twenty species are on the 'Red list' as the E.S. acknowledges.
- 5 Radlett SoS decision: It may well be that the Secretary of State actually referenced the saved Policies in S.B.C.'s Core Strategy 2006 - 2026, but stated that the benefits of the Colnbrook site outweighed the loss of the 'Buffer Zone'. However, we cite inconsistency of decision due to statements he made regarding the Maidstone application.

6.13 Colnbrook with Poyle Parish Council's

Colnbrook with Poyle Parish Council made the following representation on the Environmental Statement addendum (ES)

From the Parish Council's point of view the amended proposals do not change or remove any of our previous grounds for objection outlined in my original executive summary but they do in fact make matters worse in one important respect - the traffic proposals do not improve matters either in respect of congestion or air quality in respect of road traffic exiting the site; they do make it easier for traffic to come in by road and this actually undermines and reduces the likelihood of any freight coming into the site by rail.

Their previous response was as follows:

Executive Summary

- 1 Comparison with LIFE: The SIFE proposal for a road-rail/warehousing freight terminal on greenfield Greenbelt land north of the A4 Colnbrook by-pass is for a near identical building floorspace (200,000sqm) as the LIFE proposal on essentially the same location submitted in February 1999, successfully opposed by the Parish Council, including at Appeal. SIFE, however, proposes a smaller land-take and is, therefore, a denser development; its rail component – which is its main justification for building on Greenbelt land – is actually less than LIFE’s (LIFE proposed 25% inward freight travelling by rail and 8% outward by rail; SIFE similarly proposes 25% inward freight by rail but zero outward). Planning Inspectors and the Secretary of State in dismissing the LIFE Appeal described the site as a wedge of Greenbelt that was both “vulnerable” (implying need for protection) and of “strategic importance” as the last break in the urban sprawl of Greater London joining with that of Slough. The site is in fact part of the Colne Valley Park. SIFE would in fact have a worse impact on that green wedge and on the Colne Valley Park than LIFE. SIFE requires the diversion of the Colne Valley Way – the principal recreational route through the Colne Valley Park, which hitherto has connected with the centre of the historic Colnbrook village and its conservation area – possibly diverting it through Harmondsworth Moor, well away from Colnbrook. There would thus be significant loss of local amenity as a result; loss of recreational land and access as well as loss of grazing land.
- 2 Impact on Green Wedge: Also, SIFE’s bite into the green wedge, unlike in the case of LIFE, follows on the heels of another couple of significant bites into that green wedge in the intervening years – since then a temporary permission has been given to BAA for the Colnbrook Logistics Centre (CLC), now extended to 2018 to support completion of the Heathrow East replacement of Terminals 1 and 2; plus the permanent development of the London Concrete/Foster Yeoman /Aggregate Industries site has been initiated.
- 3 Traffic generation /air pollution: Other environmental impacts will similarly be worse – greater traffic congestion both because less of the freight generated would travel by rail and because of other local developments, including the CLC and the aggregates plant but mainly because of the opening of Terminal 5, (doubling capacity at Heathrow Airport). Likewise, these and other existing local developments plus the vehicle movements they generate have already taken air quality below EU minimum standards, leading to the imposition of an Air Quality Management Area (AQMA) at Brands Hill, through which all SIFE road traffic travelling via the M4 would have to pass.
SIFE will generate more vehicle movements than LIFE (not least because the amount of outward bound freight in the SIFE proposal drops to zero). Goodman, the applicants, say there will be an extra 6800 vehicle movements per day for SIFE compared to 6700 per day for LIFE. Actually, the Goodman figures look like an under-estimation – they comprise 3577 light vehicle movements per day plus 3230 HGV trips per day servicing the same 200,000sqm of new warehousing that LIFE proposed for which it was agreed there would be an extra 4000 light vehicle movements a day, mainly warehouse workers cars. Why should the same warehousing floorspace generate 423 less light vehicle movements per day for SIFE? This suggests SIFE might actually generate a total of 7200 vehicle

movements per day all disgorging onto the A4 Colnbrook by-pass, which already comes to a stand-still virtually every day at peak hours. This will grid lock traffic coming west out of Colnbrook village and push nitrogen dioxide (NOX) emissions even further above the EU limits being breached at the moment (and disproportionately so because of increased grid lock). These NOX emissions endanger public health – this will particularly impact on hundreds of people living alongside the A4 at Brands Hill where the road narrows compared to the by-pass before reaching the M4 junction (Junction 5). The London Authorities' planning guidelines indicate this air quality argument alone would be a defensible reason for refusal of a major application.

- 4 Alternative sites / rail use: Goodman seek to make something of Secretary of State Eric Pickles' comments justifying refusal of a road-rail freight terminal at Radlett, where the Secretary of State said a good alternative to Radlett existed at Colnbrook – namely the SIFE proposal. In reality SIFE is not an alternative to Radlett, which was twice the size of SIFE and transferring significantly more freight from road to rail. Indeed, it is doubtful whether there will be any road-to-rail benefit locally around the Slough area or along the Thames Valley corridor; this area at the junction with the M25 and with Heathrow Airport adjacent is already one of the worst traffic-congested locations in the UK. The proposed road-rail freight terminal would naturally act as a magnet for more HGV's entering the area, as would the lorry park included in Goodman' SIFE proposal. Experience from the closure of an illegal lorry park locally at Poyle Place indicates how much extra HGV traffic a lorry park brings into an area by the appreciable reduction in HGV's on surrounding roads now that this illegal lorry park has gone. Additionally, the argument that approval of such a terminal in 2007 at Howbury Park, Bexley, sets a favourable precedent for SIFE is a non-sense since it actually reduces hitherto unmet demand. Indeed, SIFE does not make any economic or strategic sense justifying the increased road congestion it will cause by improving rail freight nationally. SIFE, unlike Howbury Park or Radlett for that matter, is not on any rail-freight artery either en-route to ports of Dover and Folkstone or the industrial heartland of Birmingham and the Midlands – trains for these destinations pass nowhere near Colnbrook. Rail freight for SIFE would have to go into Central London to be put onto the Paddington/Great Western line to come down to Colnbrook via an existing spur at West Drayton; SIFE would add nothing to the national rail network infrastructure apart from its own on-site shunting yards. Unlike LIFE, it has no western rail loop, which is why Goodman acknowledge there would be no outbound rail freight. Goods would leave the SIFE site going west by road; trains would leave the SIFE site empty. There would be no point to sending freight into London that had just come from London. Local freight destined for Dover, Folkstone or nearby Continental Europe would be more efficiently dispatched to Howbury Park via the M25.

SIFE makes no rail sense and no environmental sense; the applicant's, Goodman, use the rail freight label to justify building three huge warehouses on greenfield Greenbelt land in the Colne Valley Park at a highly lucrative location right next to Heathrow Airport, imposing unacceptable environmental impacts where they know that without the rail element their proposals would have no chance. Rail is used here as a fig-leaf to cover-up something far less attractive

and justifiable. Yet, at best, rail is only a minor component of the SIFE development and, at worst, it makes no sense for the local or national economy and no sense in respect of national transport strategy.

6.14 Colne Valley Park Partnership

Colne Valley Park made the following representations on the Environmental Statement addendum (ES).

Groundwork, as a member of the Colne Valley Partnership and with the support of the Chairman and Vice Chairman of the Partnership confirm the Partnership's position that any mitigation relating to the proposed Slough International Freight Exchange should be significant and strategic.

The Partnership does not believe that the developers Green Infrastructure Strategy comes close to mitigating for the impact of the development on the Colne Valley Park and the Green Belt.

Off site mitigation should include:

- Developing a replacement route for the Colne Valley Trail to the east alongside the River Colne and Wraysbury River through Harmondsworth Moor. This will help retain the rural aspect of the main route of the Colne Valley Trail
- Retaining the current route of the Colne Valley Trail as a link for Colnbrook residents and improving connections to this to the north of the site and to the south to provide a direct link into Colnbrook
- Targeted site specific enhancement, and ongoing resources to cover future maintenance costs, of existing local sites covering an area at least equal in size to the development site. This should include Arthur Jacob Nature Reserve, Crown Meadow, Thorney Park etc
- Investing in creation of access links and circular routes for the benefit of residents of Colnbrook, Langley, Richings Park and other residents adjacent to the site.
- Investment in leaflets, signage and promotion raising awareness of alternatives required as a result of SIFE, including website improvements.
- Annual support/financial contribution for the Colne Valley Partnership to enable the key aims of the park to be implemented for the benefit of residents adjacent to the SIFE site
- A feasibility study funded separately to Green Infrastructure looking at how best to mitigate and compensate for impact of SIFE on the Colne Valley Park (with priority to sites close to SIFE) that can deliver and maintain recreational and biodiversity schemes and promotional material

With regard to the potential gifting of land (no 7 on the map on page 43 of the SIFE landscape and GI strategy) the Colne Valley Partnership is setting up a new legal entity with the ability to hold land - there may be an opportunity for this land to be transferred to the new legal entity along with a significant financial contribution to support the long term management.

The comments made by the Colne Valley Partnership made in the previous letter dated 01/02/11 relating to the initial consultation still stand and can be seen below:

The Colne Valley Partnership strongly opposes the proposed application as it conflicts with the five key aims of the regional park.

The five key aims of the regional park are:

- To maintain and enhance the landscape, historic environment and waterscape of the park in terms of their scenic and conservation value and their overall amenity.
- To resist urbanisation of the Colne Valley park and to safeguard existing areas of countryside from inappropriate development
- To conserve the biodiversity resources of the park through the protection and management of the diverse plant and animal species, habitats and geological features.
- To provide opportunities for countryside recreation including appropriate accessible features.
- To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of the countryside.

The application conflicts with the key aims in the following way:

1. Constructing a rail freight interchange is not 'maintaining and enhancing the landscape' no matter how much landscaping takes place as part of the development.
2. Significantly urbanise the park.
3. Park as a regional resource will be cut in two by this proposal which will have a fundamental impact on the spatial integrity of the park.
4. The proposal removes the potential for this area of land to be enhanced in with green belt policy and the key aims of the park.
5. The opportunity to maintain, enhance and promote the part of the Colne Valley Trial that runs beside the Colne Brook as a regionally attractive route for residents of West London, slough and surrounding areas will be lost.

The partnership opposes to the proposed development on the following grounds:

The whole of the application site lies within the Metropolitan Green Belt, within which there is a presumption against 'inappropriate development'. This proposal incorporates inappropriate development as defined in PPG2, Green Belts. The Colne Valley Partnership does not accept that very special circumstances exist that would justify a departure from Green Belt Policy.

The Colne Valley Park is protected in this location by a Core Strategy designation as Strategic Gap, which says development should only occur here if it is essential for it to be in this location. Text in the introduction of the Core Strategy says an intermodal freight exchange should only be allowed here if it can demonstrate that there would not be any unacceptable environmental impacts.

Whilst the South East Plan has been re-instated following the legal challenge by CALA Homes, the Partnership contends that the Borough Council should have

regard to the Secretary of State letter to local planning authorities on 27th May 2010, reiterated in the letter of 10th November from the Chief Planner at DCLG, advising that is the Government's intention to abolish Regional Strategies in the Localism Bill and that he expected them to have regard to this as a material consideration in planning decisions.

The Colne Valley Park in this location performs an important function for Slough, particularly for residents in Colnbrook, which is otherwise highly urbanised. The Ecology section of the Non Technical Summary of the Environmental Statement says that overall the Assessment Site will be maintained and enhanced, and in most cases habitats created will be more extensive than those lost. It is not clear how these resources could be replaced within walking distance of those existing users.

We do not consider that the scale of the development proposed, and the loss of undeveloped open land, and all the functions it performs for biodiversity, informal recreation, green infrastructure, air quality etc could be mitigated for.

On site mitigation as proposed by the applicants such as grassland restoration, woodland management and reducing the impact of the development on public rights of way, biodiversity and the landscape is essential along with resources to maintain the landscaping in perpetuity. However the developers should consider who would use the 'enhanced public rights of way once they run past a huge rail/freight interchange. These paths may continue to serve a local purpose for residents of Colnbrook and will be beneficial for staff at the rail interchange, but the regional value of the Colne Valley Trial in the area will be lost.

There are several references to off site enhancements to the Colne Valley Regional Park made in the application but we are unable to locate any detail or even any outline information on what and where these enhancements are, how they help achieve the key aims of the regional park and how they will be maintained into the future. We feel that the mitigation proposed in the application is nowhere sufficient to compensate for the loss of Green Belt land.

The site is not allocated for development in the Slough Site Allocations Development Plan Document.

The Colne Valley Partnership urges rejection of this application.

A response was also received following the ES Addendum consultation :

'the Partnerships position [remains] that any mitigation relating to the proposed Slough International Freight Exchange should be significant and strategic.

The Partnership does not believe that the developers Green Infrastructure Strategy comes close to mitigating for the impact of the development on the Colne Valley Park and the Green Belt.

Off site mitigation should include:

- Developing a replacement route for the Colne Valley Trail to the east alongside the River Colne and Wraysbury River through Harmondsworth Moor. This will help retain the rural aspect of the main route of the Colne Valley Trail
- Retaining the current route of the Colne Valley Trail as a link for Colnbrook residents and improving connections to this to the north of the site and to the south to provide a direct link into Colnbrook
- Targeted site specific enhancement, and ongoing resources to cover future maintenance costs, of existing local sites covering an area at least equal in size to the development site. This should include Arthur Jacob Nature Reserve, Crown Meadow, Thorney Park etc
- Investing in creation of access links and circular routes for the benefit of residents of Colnbrook, Langley, Richings Park and other residents adjacent to the site.
- Investment in leaflets, signage and promotion raising awareness of alternatives required as a result of SIFE, including website improvements.
- Annual support/financial contribution for the Colne Valley Partnership to enable the key aims of the park to be implemented for the benefit of residents adjacent to the SIFE site
- A feasibility study funded separately to Green Infrastructure looking at how best to mitigate and compensate for impact of SIFE on the Colne Valley Park (with priority to sites close to SIFE) that can deliver and maintain recreational and biodiversity schemes and promotional material

With regard to the potential gifting of land (no 7 on the map on page 43 of the SIFE landscape and GI strategy) the Colne Valley Partnership is setting up a new legal entity with the ability to hold land - there may be an opportunity for this land to be transferred to the new legal entity along with a significant financial contribution to support the long term management.

6.15 Denham Parish Council

Denham Parish Council objects to this application on the grounds that the proposed rail freight terminal would result in an increase in traffic in this already crowded area in an unacceptable way. Goods vehicles going to and coming from the terminal will inevitably also use roads in South Bucks such as the A412.

6.16 Environment Agency (Development Control)

Based on the information provided and following my own checks into the information it is clear that the development is not acceptable to the Environment Agency in the current form as;

- It encroaches on to land covered by the Environmental Permit
- It would appear to include the disturbance of previously deposited waste covered by the Environmental Permit.

In the interim I must make clear the Agency's position that if the material is disturbed we would look to take enforcement action to prevent the work commencing without the proper authorisations. Disturbing the waste within a landfill site is not a simple affair and will require considerable engineering and legal mitigation to be put in place before it can go ahead.

Response to EA from the Applicant Goodman:

The application does not involve any disturbance of the land covered by the Environmental permit – this land is included in our red-line boundary because it is within our ownership and will be set-aside as green-space with a habitat enhancing planting regime commensurate with the landfill permit.

6.17 Environment Agency Thames Region (South East Area),

Environment Agency made the following representation on the Environmental Statement addendum (ES)

We have no objection to the application as submitted, subject to the inclusion of a number of conditions, detailed under the headings below, to any subsequent planning permission granted.

Without the inclusion of these conditions we consider the development to pose an unacceptable risk to the Environment.

Condition 1

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason

The proposed development is located on a historical landfill site. The site investigations to date indicate that contaminants on site may have the potential to pollute the underlying groundwater and nearby surface waters. The detailed quantitative risk assessment (DQRA) should also consider the loading effects on the landfill and leachate expulsion.

Condition 2

Prior to occupation, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason

The proposed development is located on a historical landfill site. The site investigations to date indicate that contaminants on site may have the potential to pollute the underlying groundwater and nearby surface waters. A verification report should be submitted to demonstrate that the pollutant linkages have been adequately addressed and therefore need no further consideration under the Part 2a Contaminated Land regime.

Condition 3

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason

Long-term monitoring (i.e. greater than 12 months) is recommended to cover the scope of the whole development (Enabling Works – remediation and cut and fill activities, and construction phases – drainage, foundations). The development is likely to undertaken in phases.

Environmental monitoring plays a central role in environmental risk assessment and management. It is undertaken to gain information before the operation of the activity i.e. to determine the baseline conditions, impacts during construction and continued performance during operation.

The information from the programme needs to be integrated into environmental risk assessment and management in various ways:

- As a baseline against which to compare actual or predicted effects,
- As an input and feedback into conceptual models and quantitative risk assessments,
- Confirmation that the risk-management measures are performing as designed,

- As a mechanism of determining whether significant adverse environmental impacts have occurred (trigger levels)

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason

Landfills are comprised of heterogeneous fill and the previous site investigations may not have comprehensively characterised the contamination sources.

Condition 5

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

Infiltration through contaminated land has the potential to impact on groundwater quality.

Condition 6

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

Some piling techniques may cause preferential pathways and pollute groundwater.

Condition 7

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

To protect groundwater.

Condition 8

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) August 2010 and the addendum and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provision of compensatory flood storage on / or in the vicinity of the site to a 1 in 100 year plus climate change standard.
3. All structures over the watercourse will be designed with a soffit level of at least 600mm above the 1 in 100 year plus climate change flood event and abutments are set back at least 1metre from the top of bank.

Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
3. To prevent the increased risk of flooding to the site and third parties due to the impedance of flood flows and the reduction of flood storage capacity.

Condition 9

Any walls or fending constructed within or around the site shall be designed to be permeable to flood water.

Reason

To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding.

Condition 10

No development approved by this planning permission shall take place until a scheme for the provision and management of a buffer zone alongside the Colne Brook shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of the planting scheme (native species)

- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths fencing and lighting.

Reason

Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside waterbodies is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

Condition 11

No development approved by this planning permission shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), is submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site, including the new bank to Old Slade Lake
- details of treatment of site boundaries and/or buffers around water bodies
- details of the bank work associated with the new flood plain compensation area

Reason

Planning Policy Statement 9 (PPS9) requires that planning decisions should prevent harm to biodiversity interests (PPS9: Key Principles) and should also seek to enhance and expand biodiversity interests where possible. Article 10 of the Habitats Directive, and PPS9 (paragraph 12) stress the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

Condition 12

There shall be no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat. To achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background

levels. We consider background levels to be a Lux level of 0-2.

Reason

To minimise light spill from the new development into the watercourse or adjacent river corridor habitat. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat, and in particular is inhibitive to bats utilising the river corridor.

Advice to LPA/Applicant

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our website at www.environment-agency.gov.uk for more information.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste legislation, which includes:

- i.) Duty of Care Regulations 1991
- ii.) Hazardous Waste (England and Wales) Regulations 2005
- iii.) Environmental Permitting Regulations 2010

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any works in, over, under or within 8m of a main river such as the Colne Brook. This is irrespective of any planning permission granted.

Under the Land Drainage Act 1991, the prior written consent of the Environment Agency is required for any works to an Ordinary Watercourse such as erecting a dam, weir or any culverting of the watercourse likely to affect the flow. This is irrespective of any planning permission granted.

In line with the Water Framework Directive this water body is classified as heavily modified and is required to meet 'good' ecological potential by 2027.

Currently the catchment is defined as having moderate ecological potential and has not achieved good ecological potential yet. Part of the reasoning for the

heavily modified designation is due to modification for flood protection. Therefore it is important the applicant is confident that they have completed a WFD compliance assessment and that any adverse impacts on the hydromorphology of the water body can be successfully mitigated to ensure no detriment. In particular the applicant is required to carry out a detailed assessment on all bridges that affect over 20m of bank.

The EA's previous response was as follows:

We OBJECT to the application and recommend refusal of planning permission on this basis for the following reasons:

Reason: The site lies within Flood Zone 3 defined by Planning Policy Statement 25 as having a high probability of flooding where notwithstanding the mitigating measures proposed, the risk to life and / or property, both within the development and in upstream and/or downstream locations from fluvial inundation would be unacceptable if the development were to be allowed. The site lies within the flood plain and the proposed development will impede flood flow and/or reduce storage capacity thereby increasing the risk of flooding elsewhere.

RESOLUTION

Any loss of flood storage must be compensated for by the reduction in level of nearby ground, such that the same volume is available at every flood level before and after the works and it can freely fill and drain. The timing at which the storage effect comes into operation is significant. If this volume is reduced for any stage of a flood then the lost storage results in flood waters being diverted elsewhere, leading to third party detriment. Compensation area 1 is a landlocked area connected by a small channel. This will not provide acceptable compensation in a flood event. Should you submit plans which demonstrate that the compensation area 1 is hydraulically connected to the floodplain and will work in all flood events than we will be in a position to remove our objection.

FURTHER CLARIFICATION

There needs to be a robust method of preventing any water quality and sediment issues in the lake during the construction period.

Aspen should be removed from the list of species to be planted. This is not native.

The road and buildings should be at least 8m back from the top of bank of the Colne Brook throughout the site. Please can you provide a hard copy of a suitably scaled plan as we can not determine the distance from the electronic copies.

The Green Infrastructure document submitted states that there is no other wetland in the area apart from the lakes on the east side of the site and the watercourse. From pre-planning discussion I was under the impression that in the north west corner of the site there was an element of wetland, in addition to our maps that show ditches on site. These areas should be recognised and protected and/or improved where possible.

6.18 **GIST Lakeside Industrial Estate,**

We do not object to the principle to the development of the site for such a use, we wish to register our concern about the access arrangements from the A4 Colnbrook By-Pass.

It is understood that the proposal retains the road as a single lane carriageway road with a provision for a right turning lane at the western access point, controlled by traffic lights. Whilst this may be satisfactory out of peak hours, if there is any problem on the nearby motorways, the capacity of the A4 will be inadequate.

In our view, there needs to be additional highway improvements along the full length of the Colnbrook By-Pass to at least double lane carriageway to ensure the traffic flow. I was unable to find any substantive information into traffic volumes and investigation.

6.19 **Heathrow Airport Limited (HAL)**

Heathrow Airport Ltd (HAL) has no objections to the proposed development, subject to consideration of our comments below in respect of highway impacts arising from the development and implementation of the proposed highway improvements.

The applicant discussed their proposals with HAL in some detail during the pre-application stages. The submitted Transport Assessment is very much along the lines of our previous discussions and we note they have made a number of proposals which are likely to improve the road network.

The two points we wish to raise from a Surface Access point of view relate to the delivery of the proposed mitigation/improvements. We would encourage Slough Borough Council to impose conditions which ensure that:

- The majority of these works should be completed prior to occupation of the development (and preferably in the site enabling phase); and
- There is potential for a significant amount of disruption whilst these works take place. We would encourage Slough Borough Council to put in place conditions on any approval relating to the phasing of the works so as not to cause unnecessary delays on the network.

6.20 **Helioslough Ltd**

CgMS on behalf of Helioslough Ltd made the following representation on the Environmental Statement addendum (ES).

Helioslough's air quality consultants, AQC, have carried out a review of the SIFE ES chapter and its addendum.

Their overall conclusions are that: (a) there are very significant flaws in the methodology applied in the ES and its addendum; (b) the scheme will result in a substantial increase in the number of vehicles passing through several AQMAs, such that it seems likely there would be a significant impact; and (c) it is impossible to determine whether the latter is the case or not due to the defects in the study.

Hence it seems to me that it can be concluded from this assessment that there is a significant breach of the requirement in Annex 1G of PPG23 for the applicant to provide such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. In turn this would provide a robust reason for refusal.

Clearly the traffic forecasts are a crucial element in such assessments [i.e. for air quality], and in reviewing these, WSP have identified some significant discrepancies between the data in the TA and those used in the air quality assessment. These discrepancies compound the problems in relying upon the submitted air quality assessment for discharging the applicant's responsibilities under PPG 23.

The WSP note and AQC report are below:

Review of SIFE application traffic data by WSP for Helioslough (August 2011)

We have reviewed the traffic data presented in the ES Addendum 2011 and the August 2010 Transport Assessment (TA). We would also note that the Supplementary Transport Assessment dated June 2011 states 'Trip generations and distributions....are set out in the Transport Assessment', so that the TA is the correct source for this data . There appear to be some discrepancies in the reported traffic data and we would demonstrate this by examining the A4 south of Junction 5 between Junction 5 and Sutton Lane.

Table 8.2 of the ES addendum shows average hourly flows for 2014 and 2020. For the road identified above in 2020 with no development there are 1333 light vehicles and 137 HGVs. With the development there are 1392 and 222 vehicles respectively. This means the development generates 59 and 85 vehicles respectively. These are average hourly flows which mean that the 24 hour development generation on this length of road is 1416 light vehicles and 2040 HGVs.

The TA outlines the traffic generation and distribution for the site.

Table 8.2 of the TA shows that the 24 hour generation of light vehicles as 3577 (1776 plus 1801). Table 8.3 has 3230 (1615 plus 1615) HGVs.

Appendix 8.3 (Figure 0) has the distribution of traffic which shows 47% of the light vehicle generation uses the A4 south of J5 and 100% of HGVs use this road.

It follows that 1681 light vehicles and 3230 HGVs are generated on this length of road. This should be compared to the 1416 and 2040 vehicles respectively quoted in the ES chapter.

Review of SIFE ES and ES Addendum August 2011 produced by Air Quality Consultants for Helioslough Ltd

Please note AQC does not accept any responsibility for any unauthorized changes made to their printed version.

1 Note on the AQMA

- 1.1 Slough Borough Council's 2010 Progress Report appears to miss AQMA number 2 (that extends along the A4 between the M4 and Sutton Lane) from its Figure 1.1 (http://www.slough.gov.uk/documents/Slough_PR_2010_FINAL.pdf). This AQMA is still, however, described on the Council's website (<http://www.slough.gov.uk/documents/aqmanorder2.pdf>). This is only mentioned here in case it causes any confusion. AQMA number 2 is referred to here as the "A4 AQMA".

2 Review of SIFE ES and ES Addendum

- 2.1 This note is intended to point out potential failings in the SIFE ES and ES Addendum. It is not a systematic review of the document and only identifies issues which are seen as weaknesses or errors in the ES.

General Assessment Methods

Traffic Screening Criteria

- 2.2 The assessment of traffic impacts uses the DMRB screening criteria to determine which roads require assessment (although the assessment does include some other roads). It should be noted that these screening criteria are necessarily focused on assessments for major trunk roads, and significant air quality impacts could potentially be associated with smaller changes in traffic on congested, urban roads.
- 2.3 We have not looked at the TA, but the traffic data presented in the air quality chapter of the ES suggest that the development would add an additional 3,456 vehicles per day (2-way) to the A4 between Sutton lane and the M4. The development would also add 2,424 vehicles per day to the M4. If the flows presented in the ES chapter are correct, then remainder (1,032 additional vehicles per day) might continue straight up the A4 (London Road) to Slough's Town Centre AQMA. It is suggested that an increase of 1,000 vehicles per day through this urban AQMA may have a significant impact, but this has not been covered in the assessment. It is, however, understood that the traffic flows included in the ES do not accurately represent those in the TA and that the increase in traffic on London Road may be smaller than this (with larger increases than used in the ES through AQMAs 1 and 2).
- 2.4 For the purpose of this review it is assumed that the traffic data used in the air quality assessment are correct. Discrepancies between the dataset used in the ES and those in the TA will be dealt with in a separate note.

Impact Descriptors

- 2.5 Paragraph 8.63 of the ES Addendum states that "predicted effects were assessed against the guidance set out jointly by the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK)". The

criteria have, however, been incorrectly applied³. . In particular, the impact magnitude descriptors provided by IAQM relate to absolute concentrations and not to percentages. This is important since percentages are, by definition, relative; so at higher concentrations a given absolute change will represent a smaller percentage change. Furthermore, IAQM and EPUK have not provided criteria for 1-hour NO₂ concentrations or 90.4th percentiles of 24-hour PM₁₀ concentrations. The criteria used are not at all unreasonable but they should not be attributed to IAQM.

Detailed Modelling Methodology

Choice of Receptors

- 2.6 The receptors used for the assessment do not seem appropriate. Annual mean nitrogen dioxide concentrations reduce very rapidly on moving away from roads (Defra, 2009) and so it is important to ensure that receptors are positioned on roadside building façades when assessing against the annual mean objective. A very brief review has showed that Receptor 1 is set approximately 4 m further away from the road than the building which it represents⁴. Impacts will thus be under-predicted at this receptor. We have not reviewed all of the other receptors but it is highly likely that there are others which are positioned poorly.
- 2.7 A separate issue, and one which does not invalidate the assessment but does call into question the level of detail that was applied, is that Receptor 39 appears to represent a pump within a petrol filling station. There is no reason to apply the long-term or short-term air quality objectives to this location and no reason to apply the impact descriptors here.

Choice of Background Data

- 2.8 Total predicted pollution concentrations are assumed to be made up of the local road component (from the dispersion model) and the background concentration (used to represent the influence of emission sources which are not included in the model).
- 2.9 The use of background pollution concentrations in the ES is of concern. The ES states that *“TG(09) (Ref. 8.12) suggests that when assessing schemes significantly affecting road traffic, it is appropriate to consider the air quality at the kilometre squares to either side of the road of interest, but not those squares containing main roads.”* The cited reference⁵ does not suggest this at all, neither has this precise approach been recommended in previous guidance⁶. In fact LAQM.TG(09) provides a method for avoiding double-counting but this has not been followed. While LAQM.TG(09) is not prescriptive on the approach taken, it is clearly misleading to quote national best-practice guidance as recommending a methodology which it does not support; particularly when it may have

³ AQC were instrumental in developing the IAQM / EPUK criteria.

⁴ The receptor positions presented in the ES are rounded to the nearest 1 metre and so any comparison will be inexact, but this degree of rounding cannot explain a 4 m discrepancy.

⁵ The reference to “TG(09)” relates to Local Air Quality Management (LAQM) Technical Guidance (TG) 2009. This is Defra’s guidance for local authorities which also forms an industry-standard best-practice guide. AQC were instrumental in drafting this guidance.

⁶ LAQM.TG(09) was preceded by LAQM.TG(03) (Defra, 2003), which suggested taking the average concentration from grid squares 4 km away, not the squares to either side.

implications for the conclusions of the assessment.

- 2.10 In addition to the point made above, the approach to future-year background concentrations is also unclear. Defra provides year-specific background concentrations and no longer relies on future-year projections to be applied by modellers. The future-year background concentrations provided by Defra are different to those included in the ES.
- 2.11 It appears that local background concentrations may have been significantly over-predicted⁷. Total concentrations are the sum of the road component and the background component, but only the road component is assumed to be affected by the Scheme. The approach taken to verification is discussed subsequently, but Figure 1 shows a simplified example⁸ whereby the same road contribution is added to two different backgrounds. If these results were compared with a measurement of 40 $\mu\text{g}/\text{m}^3$, the first example would appear to accurately predict the measurement, while the latter would under-predict. The implication of an under-predicting model would be that the road contribution is erroneous (in this example by a factor of $\frac{1}{2}$); since the background maps have been extensively verified on behalf of Defra. If the road-contribution is half its true value, then the impacts of the scheme (in terms of impact magnitude when assessed using the – correct – IAQM criteria) will also be approximately⁸ half of their true value.

Figure 1 – Simplified Example of a Constant Road Contribution Added to Two Different Background Values (Y axis shows annual mean NO₂ in $\mu\text{g}/\text{m}^3$)

⁷ As an example of this, the background annual mean nitrogen dioxide concentrations reported in Table 8.8 of the ES range from 27.2 $\mu\text{g}/\text{m}^3$ to 30.8 $\mu\text{g}/\text{m}^3$ in 2011. Following the approach set out in paragraph 2.05 of LAQM.TG(09) and subsequent guidance (Defra, 2011), taking the mapped background concentration for the A4 AQMA (as published by Defra, 2011) and removing “in-square” motorway sources, the annual mean nitrogen dioxide concentration would be 20.1 $\mu\text{g}/\text{m}^3$. If other sources were removed, the background concentration would be even lower. While it is recognised that the ES interpolated background concentrations across a wider area, the difference between these values is significant.

⁸ The example takes no account of the curve-linear nature of the NO_x to NO₂ relationship.

⁹ This current review adopts the terminology set out in LAQM.TG(09), whereby “validation” relates to the checks performed by the model developers and “verification” refers to comparisons with local measurements.

¹⁰ Using measurements, traffic data, emission factors, background data, and meteorological data all for the same year.

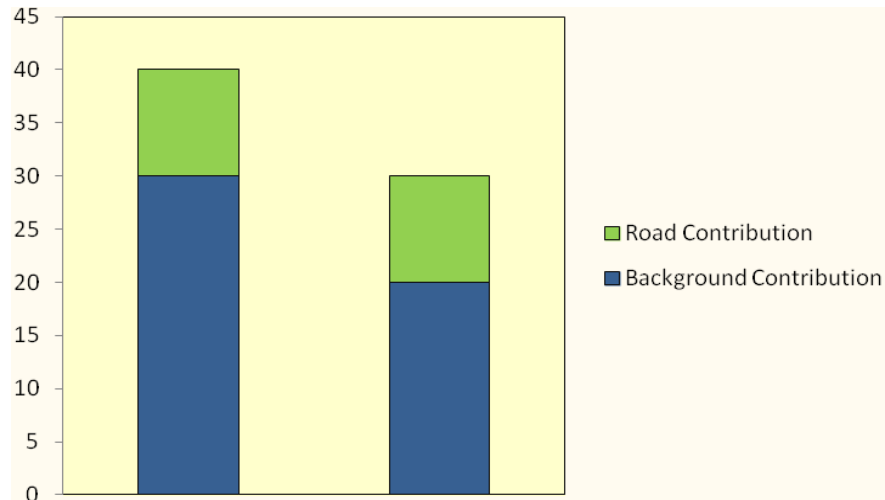
¹¹ For many years, AQC was responsible for appraising Review and Assessment reports submitted to Defra and this statement is based on observations from a very large number of studies.

¹² In practice, the adjustment factors required are tending to increase year-on-year as the predicted vehicle emission factors reduce much quicker than measured concentrations. A recent study for a private client in which ADMS-Roads was verified against measurements from four automatic monitors in Hillingdon determined that the model under-predicted road-NO_x by a factor of nearly 10.

¹³ The factor would actually be slightly smaller owing to the curve-linear nature of the NO_x to NO₂ relationship.

¹⁴ It is important to note that policy recognises that axiomatic fact that the greater the proportion of rail-related warehousing the greater the potential for achieving the sustainability advantages of transferring freight from road to rail.

¹⁵ defined as an area running broadly from the M4 motorway in the west (later extended to cover the area between the M3 and M4) to the A1(M) to the north, and extending to an outer boundary some 32 km from the M25



Traffic Flows

- 2.12 We have not reviewed the TA but have looked at the traffic data reported in the air quality chapter of the ES. A single traffic flow is presented as being used for the “A4/M4 junction”. Obviously, each link in this junction will have a different flow (for example, each slip road and each arm of the roundabout etc.). It is not possible to accurately determine the impact on AQMA number 1 without using link-specific traffic flows and speeds. Without seeing the actual model input data it is not possible to determine whether the traffic data tabulated in the ES are just a (rather misleading) summary or whether the way in which traffic have been modelled is inappropriate.

Vehicle Speeds

- 2.13 Table 8.1.1 in Appendix 8.1 of the ES sets out the speed assumptions used in the model. It appears that no account was taken of slower speeds on the approach to junctions, where emissions tend to be greatest. The ES makes reference to LAQM.TG(09), but appears not to have taken the advice of this best-practice guidance in respect of modelling near to junctions, as exemplified in Figure 2, which reproduces Figure A2.2 of LAQM.TG(09). The average speed running through the A4 AQMA is assumed to be 70 kph; which corresponds with low predicted emissions when compared with lower speeds. In practice, it seems likely that close to junctions, the average speed would be lower than this, and thus emissions would be higher.

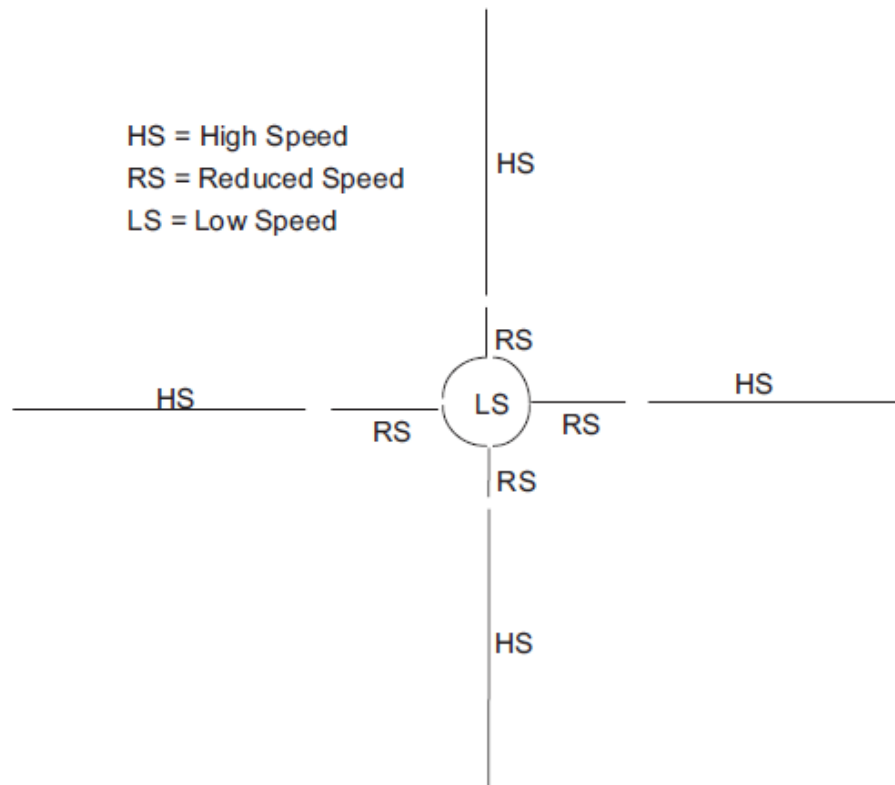


Figure 2 – Example from LAQM.TG(09) of How to Treat Speeds Near to Junctions

NO_x to NO₂ Routine

- 2.14 Appendix 8.1 states that: “*the NO_x to NO₂ chemical reaction scheme was used in the model*”. The chemical reaction scheme included in ADMS requires various input data which are not described in the report and which, given the method used to derive background levels, are unlikely to have been used. Thus, it seems highly likely that the NO₂ values presented are invalid. In any event, the ADMS-Roads NO_x to NO₂ routine does not allow the subsequent adjustment of road-NO_x concentrations which is generally required for robust modelling (see below).

Model Verification

- 2.15 The ES claims that the model has been “validated”, since it presents a general comparison of the 2009 model results for total annual mean nitrogen dioxide concentrations against the average of several years (2002-2004) diffusion tube data. The comparison is further compromised because “*the results are not directly comparable, as the diffusion tube locations themselves were not modelled as receptor locations*”.
- 2.16 Given that annual mean nitrogen oxides and nitrogen dioxide concentrations can vary very significantly over just a few metres close to roads, this approach is clearly not appropriate and does not constitute model verification⁹. Furthermore, comparing the model against measurements made so long ago will introduce errors. It is not clear why no monitoring locations were included as receptors, since such a comparison is essential and without it there can be no confidence in the model results. It is also noted that there are more recent measurements,

from both diffusion tubes and automatic monitors, within the local area, and these should have been cited in the ES.

- 2.17 The approach to verification set out in LAQM.TG(09) involves carrying out a direct comparison of measured and modelled data¹⁰. If the model does not accurately represent the measurements, it is typically necessary to adjust the road-NOx contribution (i.e. the raw output of NOx from the model). It is very important that the road component of the model is verified and adjusted independently of the background. Not doing so can significantly under-predict the impact of schemes such as this (see paragraph 2.11).
- 2.18 The algorithms behind the ADMS-Roads model were developed for wide open roads and not for more narrow roads such as the A4 where it passes through the AQMA. This means that the model tends to under-predict when applied to urban roads unless the outputs are adjusted upward¹¹. The fact that the vehicle emission factors on which the modelling is based were not intended to be used in this manner provides another reason why model adjustments are usually required. Professional experience from carrying out a large number of assessments in this area suggests that while ADMS-Roads may predict well for receptors immediately adjacent to motorways, it typically under-predicts the road component of concentrations by a factor of at least 2 and often significantly more¹². Clearly, if the road-NOx concentrations were multiplied by 2 or more, the predicted impacts of the scheme would increase significantly (i.e. the magnitude of the impact when assessed using the – correct – IAQM descriptors would increase by a similar factor¹³).

Future-Year Predictions

- 2.19 The ES makes the point that baseline concentrations may not fall as rapidly as current projections suggest. The assessment thus considers the possibility that the impacts of the scheme should be added to current baseline levels. What is not acknowledged is that the key reason why baseline concentrations may not fall as predicted is that emissions per vehicle are not reducing as expected. This approach is flawed in that it will overestimate the future baseline concentration, but underestimate the incremental change associated with the increased traffic emissions arising from the scheme. It is, however, acknowledged that Defra has yet to issue any more appropriate emission factors and so a robust quantitative assessment which takes account of this issue is not possible.

Other Issues

- 2.20 In Appendix 8.1 the statement is made that: “The model can only incorporate one set of time varying factors to represent all roads”. This statement is simply incorrect; although the omission is unlikely to significantly affect the overall conclusions of the assessment.
- 2.21 The model used emission factors from the DMRB database which are now out of date; although it is recognised that it is not always possible to update an assessment every time a piece of guidance changes. The change in emission factors is unlikely to, on its own, invalidate the conclusions of the assessment.
- 2.22 The ES states that a full discussion of the baseline data used is given in

Appendix 8.2. This is not the case.

- 2.23 The ES states that LAQM.TG(09) suggests that short-term background nitrogen dioxide concentrations can be calculated by doubling the annual mean background. The cited reference does not recommend this for modelling the impacts of road traffic.
- 2.24 The assessment uses meteorological data from 2002 to 2006. It is not clear why data from a more recent year were not used.
- 2.25 The ES addendum explains that the traffic data used in the modelling have been superseded. However, it goes on to explain that the air quality modelling has not been re-done. The results thus do not relate to the latest scheme design.

3 Overall Conclusions

- 3.1 We have identified significant concerns with the air quality assessment presented in the SIFE ES and ES addendum such that we consider that the assessment is not fit for purpose. Among the more significant concerns are the facts that: 1) the ES has misrepresented national guidance in order to claim compliance with best-practice and industry-standard practices that it does not in fact comply with; and 2) the ES has not even attempted to carry out any robust verification of the dispersion modelling. The ES would be viewed as not fit for purpose even if these were the only two failings, but our review has also identified numerous other issues.
- 3.2 Based upon the data in the ES, the proposed scheme will add approximately 3,500 vehicles per day to Slough's AQMA number 2 and a further 2,200 vehicles per day to roads in Hillingdon Council's AQMA. It seems likely that these changes would have a significant impact but it is impossible to determine whether this would be the case without a robust air quality assessment. This is not provided by the ES.

4 References

Defra, 2009 Local Air Quality Management Technical Guidance 2009. Available at:
<http://www.defra.gov.uk/publications/2011/03/25/pb13081-laqm-technical-guidance-tg09/>

Defra, 2003 Local Air Quality Management Technical Guidance 2003.

The following letter of response to the ES addendum was also received.

On behalf of our client, Helioslough Ltd, and pursuant to its objection to the above planning application, to comment on the letter dated the 25th July 2011 and attachments that were submitted to the Council on behalf of Goodman commenting on the outcome of the recent High Court decision on the Radlett Aerodrome appeal.

The attachments include a document that responds specifically to the representations we have previously submitted on behalf of Helioslough Ltd. We have also taken account of the amendments to the SIFE E.S in drafting these further representations.

In headline terms, Goodman's latest documents:

- a) Criticise the Radlett site on the same grounds as raised before the 2009 appeal Inspector and addressed by him, and fail to identify any material changes in circumstances that would merit reassessment
- b) On Strategic Gap ("SG") still ignore the core point of policy, despite the High Court judgement in respect of the 2010 Radlett appeal decision
- c) Fail to identify that the current SIFE application scheme was promoted through the LDF as phase 1 of a potential larger scheme
- d) Claim there is a need for both Colnbrook and Radlett in contravention of both the current position of the Secretary of State ("SoS") and their own case put to the High Court in June 2011
- e) Acknowledge that there were factual errors in the 2010 SIFE ASA, but fail to show why these have not affected its conclusions.
- f) Fail to adequately address the highway impacts of developing an SRFI at Colnbrook, which the most recent evidence shows are sufficiently great to merit refusal of their application.
- g) Make an unfounded claim that the GWML electrification scheme will guarantee gauge-enhancement to the lines serving Colnbrook.

The current position with the Helioslough Application at Radlett

1. The Secretary of State's ("SoS's") refusal of permission at Radlett has been quashed by the High Court on the basis that the SoS did not address the substance of the SG policies. No appeal has been lodged. The SoS will therefore have to re-determine the Radlett application in the light of the conclusions of the High Court and the previous Inspectors' reports and SoS decision letters.
2. The consequence of the SoS and St Albans DC ("SADC") not appealing is that Helioslough has been denied the opportunity of cross-appealing on the "like for like" issue. We understand that the reason SADC did not appeal, despite having immediately and publically declared their intention to do so, was precisely to avoid Helioslough being given the opportunity to pursue that ground. For the avoidance of doubt, any decision on redetermination by the SoS which fails to address Radlett and Colnbrook on a "like for like" basis will be the subject of a further challenge.
3. The SoS will now need to re-determine the Radlett appeal afresh (*Kingswood District Council v. Secretary of State for the Environment* (1989) 57 P&CR 153) but absent any material change in circumstance, he will not, without very good reason, be entitled to re-visit matters on which unchallenged conclusions have been reached.
4. There have been no material changes in circumstance to undermine the merits of the Radlett scheme and there is no very good planning reason to revisit the

conclusions of the Inspectors (in both Inspectors' Reports) adopted by both Secretary of State decision letters.

5. The only issue on redetermination is therefore whether there is a less harmful Green Belt ("GB") location for the proposal. On that issue the following points are to be noted:
 - a. the conclusions of the High Court are clear – development at Colnbrook has to overcome an additional hurdle namely that it is "essential" for the SRFI to be there. That policy requirement imposes a very high bar;
 - b. the SoS cannot ignore (as he previously did) that additional hurdle and that very high bar;
 - c. the SoS has to grapple with the 2009 Inspector's reasoning that, given the SG policies, it cannot be rationally concluded that Colnbrook is to be preferred; and therefore
 - d. it is impossible to conclude that development at Colnbrook is "essential" given that there is an appropriate site for it at Radlett.
6. There is therefore logically only one answer to the single issue which the SoS has to consider on the redetermination. Any attempt by the SoS to avoid the only logical conclusion available to him will be the subject of further challenge.
7. Hence we consider your Council should proceed on the basis that there is an alternative location for an SRFI in the NW Sector - namely Radlett – and that consequently the Slough Core Strategy Policy CP2 - "essential" - test cannot be satisfied. Given the strategic significance of the gap between London and Slough it is inevitable that your Council will place very substantial weight on the breach of this policy.
8. We therefore consider that planning permission cannot lawfully be granted for Goodman's application on the basis that it is preferable in GB/SG terms to Radlett.

"Like for like" comparison

9. The proposal at Colnbrook is phase 1 of a potential larger scheme, as demonstrated by the Argent/Goodman representations on the draft Slough Core Strategy. Phase 1 is about 56% of the scale of Radlett. It will meet only about half of the need that Radlett will meet.
10. In any comparative analysis of Colnbrook phase 1, we consider your Council should :
 - a. compare the GB and SG impacts of phase 1 with the GB impacts of a similar scale at Radlett. It would be irrational to compare GB impacts for Phase 1 with a development of twice the size meeting twice the need at Radlett; and/or
 - b. take into account the basic facts that the Radlett proposal will meet the underlying policy objective¹⁴ to a far greater extent than Phase 1 and that if Phase 1 were to be developed there would have to be either phase 2 or another SRFI elsewhere to meet the need to the same extent as the single SRFI at Radlett.
11. In any event:

- a. there is no objection to Radlett in terms of scale; and
 - b. even on the basis of the comparing the Phase 1 with the Radlett Application, Radlett is clearly superior in GB terms for reasons explained below.
12. Goodman may contend that because their application is smaller it is to be preferred, but this ignores the prospect that a proposal for a phase 2 will be brought forward in due course pursuant to the earlier LDF representations. We come to the detail of the SG and GB impacts below, but at this stage there is no objection to Radlett in terms of its scale and the scale gives rise to very substantial additional policy benefits which we consider your Council - in assessing alternative sites – should take into account.
13. These benefits arise because the greater the quantum of warehousing the greater the potential for additional trains and thus vehicle km savings, a relationship that is derived from and supported by:
- a. the SRA 2004 policy document generally and in particular Appendix G to the SRA policy which demonstrates a clear correlation between floorspace and the tonnage of freight carried by rail: see the table at p64 and the text at p65;
 - b. the West Midlands Regional Logistics Study Stage 2 2005; the East Midlands Strategic Distribution Study 2006; and the Kent International Gateway ("KIG") report - all these reports prepared by, or with input from MDS modelling - all of which proceed on the basis that the greater the quantum of warehousing the greater the potential for more trains;
 - c. experience at DIRFT and elsewhere.

Need

14. We note that Goodman now claims that there is a need for both Colnbrook and Radlett.
15. That is, of course, inconsistent with the SoS's decision namely that there was a choice to be made between Radlett and Colnbrook. Had there been no such choice to be made - and both had been required - then on the SoS's other conclusions Radlett would have been granted. Goodman's approach is thus directly contrary to the current position of the SoS.
16. Further, their current position is inconsistent with Goodman's representations to the SoS at the 2009 Radlett Inquiry (and their application to be joined as a party in the High Court and their argument in the High Court) which proceeded on the express basis that Colnbrook was an alternative, and not additional (or complementary), to Radlett.
17. In our judgement, any decision that there is a need for both Radlett and Colnbrook is one which the SoS should make and not the Council.

Material Changes in Circumstance (MCC) since the 2010 Radlett Appeal Decision

18. As noted in our previous representations, the SIFE ASA claims that the Radlett site is inferior to Colnbrook across a wide range of environmental and infrastructure considerations, namely: railway connectivity and capacity, highway connectivity and

capacity, noise impact, landscape impact, air quality impacts, flood risk potential, CO2 emissions, generation of HGV-km and proximity to workforce. All of these were disputed in our earlier representations. The Goodman response document now modifies its stance in relation to flood risk potential, by only claiming comparability on that issue.

19. However, their assessment disregards the fact that all such issues in respect of Radlett have been subject to full debate at the two inquiries, with the conclusions being that the larger Radlett appeal scheme would not have a significantly adverse impact on any local environmental and infrastructure considerations. The Goodman response document does not identify any adverse material changes in circumstances (“MCC”) that would alter these conclusions.
20. Although the Goodman response document accepts that the SIFE ASA does contain factual errors as identified in our earlier representations, we consider that it fails to demonstrate why its conclusions would not change if these are corrected. We also consider that it does not demonstrate that our core criticisms of its methodology are unfounded. Details of our review of the response document can be supplied to the Council if requested.
21. Hence we consider that the response document does not contain any material that would result in us changing the conclusions of our earlier representations that in fact even when comparing the SIFE application with the much larger Radlett appeal scheme, the Colnbrook site would have no less and in some cases a higher impact on local environmental and transport considerations than the Radlett scheme. This harm is to be judged in the context of: (1) the much lower planning benefits provided for in the SIFE application than those with the Radlett appeal scheme; and (2) the enhanced sustainability benefits generated by the greater capacity of the Radlett proposals.
22. Our investigations show that the following adverse MCC have been identified for Colnbrook:
 - a) Recent discussions with Network Rail have revealed that the claim made by Goodman that the GWML electrification scheme will guarantee gauge-enhancement to the lines serving Colnbrook, is unfounded. This is because electrification projects need to keep their costs as low as possible by looking at innovative ways to avoid structural interventions and thereby make electrification more affordable. The net result is that “windfall” gauge enhancement is not likely to arise – unless significant new funding comes on stream.
 - b) The SIFE ES addendum shows that the scheme’s flood-risk strategy is reliant on the implementation of mitigation measures (notches cut into the western bank of the Colne) but we are not aware of any evidence having been produced which shows that these are achievable.
 - c) The Supplementary Transport Assessment shows that significant capacity issues have been identified by the highway authorities. For Junction 5 of the M4 this has resulted in a requirement for substantial investment in order to deliver the necessary capacity. There are issues regarding pedestrian and cycle movements and safety which remain to be resolved. Road widening is now proposed on the

A4 between Junction 5 and the Sutton Lane gyratory junction. These works do not provide sufficient capacity for the operation of this length of road and they are detrimental to safety. The widening of the road, increased vehicle flows and safety issues are all detrimental to the amenity of the commercial and residential properties on this length of the A4, and in our judgement the current evidence shows that these impacts would merit a refusal of the current SIFE application in their own right. The appendix to this letter sets out these concerns in more detail.

- d) We understand that studies prepared on behalf of the Council show that the SIFE scheme will generate a significant amount of traffic through some of the AQMAs in the surrounding area, with consequential impacts on air quality.

Rail related issues

23. Goodman wrongly continues to claim that Radlett has rail-related deficiencies. These arguments have now been raised on two occasions in full public inquiries at which all parties have had the opportunity to set out their best cases. The case now put by Goodman on this issue was raised and dismissed in the 2009 Radlett Inquiry. Nothing has changed that harms Radlett's position, in contrast to the position at Colnbrook as set out above. The SoS's conclusions as to the acceptability of Radlett on rail-related grounds are clear. The Council cannot rationally proceed on any basis other than that Radlett is an appropriate location in terms of rail-related issues.

Green Belt/Strategic Gap

24. Both the 25th July letter, and section 1 of the response document continue to pursue the approach to Strategic Gap policy that was applied in the Secretary of State's July 2010 Radlett appeal decision, and which resulted in the latter being quashed by the High Court on the 1st July 2011 because it was found to be wrong in law. The tenth paragraph under Ground 4 of the court judgement states in respect of the decision letter that it :

"gives rise to a substantial doubt whether the Secretary of State did properly understand the Inspector's reasoning on this crucial part of the recommendation or the additional restraint imposed by the policy, namely that it must be shown that the development is essential in that location"[our emphasis].

25. That paragraph of the Court decision goes on to state that :

"In my judgement, the decision letter does not adequately display how it might be shown that it is essential to have an SRFI at Colnbrook as opposed to any other location"

26. The argument put forward in Para 1.3 of Goodman's response document that *"the principles of SG are reflected in GB Purpose 2 (merging and coalescence)"* is failing to address the legal position. SG policy adds very considerable weight to GB issues. GB Purpose 2 and SG do not overlap – this is an added policy hurdle for very good planning reasons specific to the London Slough Gap. As the High Court judgement states at the second paragraph under Ground 4:

“ in my judgement it is clear having regard to the Core Strategy that an additional policy requirement in respect of development in the Strategic Gap, in addition to showing very special circumstance for an inappropriate development in the Green Belt, must also be shown”.

The judge subsequently referred to this in the same Paragraph as *“an additional policy restraint”.*

27. This error is compounded by the further commentary on the application of the Strategic Gap policy in para.s 1.12 to 1.14 of the response document, not only in disregarding the legal position in respect of the SG policy test, but also in ignoring the findings of the previous LIFE inquiry which identified the significance of the SIFE application land to maintaining an effective gap between London and Slough.

Conclusions

28. Since submitting our representations on the SIFE application in February and June 2011, there has been a very significant change in circumstances, in that the 2010 Radlett appeal decision has been quashed, with the Court finding that the Secretary of State had erred in law as his decision-letter had not displayed how it might be shown that it is essential to have an SRFI at Colnbrook. Goodman’s recent submissions fail to grapple with the Court’s findings.
29. Their ASA response document does not include any material that would alter the conclusion of our 2009 Alternative Sites study, i.e. that there is no available site that is more suitable than Radlett Aerodrome to meet the need to provide an SRFI within the M25 NW sector to serve London and the South East. Seeking to meet this requirement by developing a smaller scheme at Colnbrook would not significantly reduce the impact on the Green Belt. What it would do is to significantly harm the strategic London-Slough gap, and significantly reduce both the sustainability benefits and local planning benefits achievable through developing the SRFI.

Appendix Highway Issues

1 Introduction

1.1 There have been some changes to the highway mitigation measures between the original Transport Assessment (TA) and the Supplementary Transport Assessment (STA). The most significant changes are at Junction 5 (J5) of the M4 and between J5 and the A4 / Sutton Lane gyratory junction. The other changes appear to address some smaller specific issues.

1.2 We have not undertaken a detailed analysis of the STA and do not consider it is necessary to comment on the more minor measures. We would, however, make comments on the two more significant amendments.

2 M4 Junction 5

2.1 At M4 J5 there are several areas of road widening for increased capacity, the removal of the existing footbridge and creation of pedestrian / cycle facilities around the junction, notably on the inside of the roundabout.

2.2 We have concluded that, given the area of land available, acceptable traffic capacity can be achieved.

2.3 The change in pedestrian and cycle facilities involve the removal of a footbridge which also passes under the M4. This is replaced by a route which is partially on the inside of the junction and means that everyone needs to cross the circulatory carriageway twice. SBC have requested a 1m separation between the carriageway and footway, and a crash barrier to protect people. It does not appear that this has been provided.

2.4 It is noted that a Road Safety Audit still needs to be completed and if the results of this are unsatisfactory then the proposed amendments would not be acceptable.

3 A4 J5 to Sutton Lane

3.1 Generally the road between J5 and Sutton Lane is 10m wide. This currently accommodates 2 lanes and reasonably wide hatching. The hatching allows vehicles to make right turns in some safety and with less delay to through traffic.

3.2 With the scheme the flows on the road are high for this standard of road. The most appropriate standard states that the capacity of the road is 1,620 vehicles in the peak direction, assuming a 60%/40% tidality, this is equivalent to a two way flow of 2,700 vehicles. With SIFE, the peak hour flows in 2020 range from 2,500 to 2,800 vehicles. These values mean the road will be operating at capacity.

3.3 The performance of the road is made worse by the number of frontage accesses. Any turning vehicles delaying traffic will quickly result in queues back to the previous junctions, notably J5. It is understood that queuing back is a current problem.

3.4 The proposed alterations include providing two lanes eastbound and one lane westbound, with minimal hatching. The result is that capacity is improved eastbound but not westbound. However, by removing the wider hatching it will not be possible for any vehicles to wait and make a right turn into one of the accesses without blocking traffic. With the volumes identified above this could mean that little is gained with improving the flow of eastbound traffic.

3.5 The length of road is already subject to a high number of accidents. Although there is no particular trend in accidents they tend to occur because of the busy nature of the road, i.e. collisions with parked vehicles, pedestrian activity and one of the serious accidents was due to a right turning manoeuvre. The increase in vehicles and HGVs and the substandard widening with reduced hatching means that the accident potential will be increased in this area. There is also a potentially dangerous U turn from the Bath Road to Colnbrook Bypass. This will be made worse by the general increase in vehicles and the increased number of lanes at

Sutton Lane.

3.6 As with J5 a Road Safety Audit is yet to be completed but from the information provided we consider that a satisfactory solution is highly unlikely to be achieved.

4 Conclusions

4.1 A satisfactory design for the pedestrian and cycle route around J5 needs to be achieved. All the works at J5 still need to be subject to a satisfactory Road Safety Audit.

4.2 The proposals for the A4 between J5 and Sutton Lane are unacceptable. They do not provide sufficient highway capacity for the satisfactory operation of the road and they are detrimental to safety. These issues combined with the widened road and the increase in HGVs result in a loss of amenity to the properties along this road.

Also provided – ‘Review of the SIFE- Alternative Sites Assessment- Other issues (June 2011)’. This document was too large to include here but is available on request.

Helioslough’s previous response was as follows:

On behalf of our client, Helioslough Ltd, we object to the planning application for SIFE. Helioslough Ltd is promoting the development of a Strategic Railfreight Interchange (SFRI) to serve London and the South East on a preferable site at the former Radlett Aerodrome site near St Albans in Herts (“Radlett”).

The promoters of the SIFE scheme claim that there are very special circumstances that justify relaxation of Green Belt policy at the Colnbrook site. One of the 5 main factors they rely on, and which is fundamental to their application, is the claim that there is “an absence of suitable or preferable alternative sites”. This conclusion is drawn from an alternative sites study (“the ASS”) prepared by a consultant team led by MDS Transmodla Ltd (“MDS”) within which Radlett is assessed.

- 1) the methodology in the ASS is seriously flawed and self serving
- 2) many of the judgments made are inconsistent with those made by previous Inspectors (and accepted by the SOS) and are unjustified.
- 3) the conclusion reached that SIFE is a preferable site to Radlett is wrong.

As consultants for Helioslough, in 2009 we carried out an assessment of potential sites for Strategic Rail freight Interchanges (SFRI) across the south east of England, and in particular carried out a detailed study of the M25 NW sector.

Background

As consultants for Helioslough, in 2009 we carried out an assessment of potential sites for Strategic Rail freight Interchanges (SRFI) - across the

south-east of England, and in particular carried out a detailed study of the M25 NW sector¹⁵. The SIFE site was shortlisted in that assessment and its comparative merits assessed. The Inspector concluded that, due to the SIFE site being located in the Strategic gap, *“it cannot be rationally concluded that Colnbrook would meet the needs for an SRFI in a less harmful way than the appeal site.”*

Having decided to give SG policies less weight, the SoS sole reason for disagreeing with the Inspector was that with a substantially smaller development at Colnbrook than that proposed at Radlett *“harm to the Green Belt might, subject to testing in an alternative site assessment, be found to be significantly less....”*. That conclusion is being challenged on the basis that in reaching that conclusion the SoS was not comparing like with like, and that the approach to SG policies shows that the SoS misunderstood them.

The applicant ignores SG policies and based on a flawed methodology and unjustified judgements conclude that the SIFE proposals are superior to the Radlett proposals in Green Belt terms. It also claims Radlett is inferior across a wide range of environmental and infrastructure considerations, namely: railway connectivity and capacity, highway connectivity and capacity, noise impact, landscape impact, air quality impacts, flood risk potential, CO₂ emissions, generation of HGV-km and proximity to workforce. All the conclusions reached are disputed.

The MDS study has been audited by the consultant team that carried out the 2009 Radlett Alternative Sites Study and the conclusions from this audit are summarised below. Our full assessment of the SIFE AS Green Belt study is attached as an appendix to this letter, and details of the remaining audits will be submitted to you shortly.

Audit of MDS Study

The attached note explains why the conclusions on GB harm cannot be relied upon.

Further, the assessment of the MDS study has identified a series of flaws which underpin its conclusions about the Radlett site being inferior to Colnbrook.

In some cases these arise from the application of methodologies that are demonstrably biased towards the Colnbrook site. This is particularly evident in its assessment of the scope to achieve sustainability advantages through savings in HGV kilometres and CO₂ emissions. This comes to a conclusion that Colnbrook will perform better than the other short-listed sites but it does so by choosing a study catchment area which has the Colnbrook site located at its centre. The conclusion is a direct and inevitable result of this flawed starting point.

A similar approach is evident in its assessment of proximity to workforce which

limits its assessment of the potential labour supply to a population category, (namely people working in the Transport, Storage and Communications sector) that is particularly well represented in the area around the Colnbrook site. Making the assessment on the basis of a category where one knows Colnbrook scores well necessarily and inevitably dictates the answer favourable to Colnbrook. It is incorrect to assume that potential employees will only come from this sector, even though ultimately this is the sector the majority would be working in, because employees will be attracted from many different sectors as the majority of the work is likely to be semi-skilled and unskilled.

Similar problems can be found in its assessment of impacts on local environmental and transport considerations. For example, the conclusions of inferior performance in the summary table in respect of :

- (1) air quality follow from mis-quoting a report which actually found that Radlett performed better;
- (2) noise from assessing the wrong site;
- (3) flood risk by using inaccurate data on the extent of the floodplain; and
- (4) on landscape by seriously understating the statutory development plan policies and policy designations applicable to the site.

Our team's assessment shows that in fact even when comparing the SIFE application with the much larger Radlett appeal scheme, the Colnbrook site would have no less and in some cases a higher impact on local environmental and transport considerations than the Radlett scheme. This harm is to be judged in the context of: (1) the much lower planning benefits provided for in the SIFE application than those with the Radlett appeal scheme; and (2) the enhanced sustainability benefits generated by the greater capacity of the Radlett proposals.

If one were to compare the SIFE proposals with an equivalent size Radlett proposal, the harm caused at Radlett would be significantly less.

Conclusions

Further details of our audit of the MDS study will be submitted to you shortly. Our conclusion is that if corrections are made for the errors within it, then it simply confirms the conclusions of our 2009 Alternative Sites Study, i.e. that there is no available site that is more suitable than Radlett Aerodrome to meet the need to provide an SRFI within the M25 NW sector to serve London and the South East. Seeking to meet this requirement by developing a smaller scheme at Colnbrook would not significantly reduce the impact on the Green Belt. What it would do is to significantly harm the strategic London-Slough gap, and significantly reduce both the sustainability benefits and local planning benefits achievable through developing the SRFI.

REVIEW OF THE SIFE ALTERNATIVE SITES ASSESSMENT: GREEN BELT STUDY

1. INTRODUCTION

The SIFE Alternative Sites Assessment includes a standalone Green Belt study,

which seeks to assess the five short listed-sites in terms of the likely potential effects and implications of a rail freight interchange development on the Green Belt (GB). CGMS Limited has reviewed the study and our comments are set out below, which firstly address the methodology employed and then its application in the site- specific comparison made between the Radlett Aerodrome and SIFE sites.

2. METHODOLOGY

The Study commences with a review of national planning guidance on Green Belts as set out in PPG2 (1995), an approach which we endorse. However it mis-states the policy approach in the criteria it defines later in the study to assess impact on GB purposes.

Further, it does not consider the relevant regional and local policies applicable to the GB. This is a very significant omission in respect of SIFE because in that location there is a powerful, deliberate and carefully framed added layer of policy protection for the GB. On a correct understanding of that policy, it raises a highly material additional issue in assessing impact on the GB.

The study first defines a set of scale parameters for the proposed rail freight interchange, which it argues should be applied consistently to each site. We endorse this approach which is clearly fair and consistent with accepted professional standards for comparing the merits of two or more sites. It is to be noted that if the Secretary of State (SoS) had adopted this approach, he could not have reached the conclusion on the Radlett application which he did.

The actual parameters adopted are based on the size of the SIFE scheme, which is a reasonable starting point for a study which seeks to assess whether there are any alternative sites capable of accommodating it. It is to be noted however that it does not provide a sound basis for assessing the merits of the sites for accommodating a scheme of the scale of the Radlett proposals.

The basis of the study is to seek to assess the impact of a rail freight interchange of the defined size on the five purposes of the Green Belt in PPG2 Para 1.5. This approach is appropriate. It then goes on to consider impacts on the six Green Belt objectives in PPG2 Para 1.6 but these are ascribed less significance than the purposes. We consider that in general this approach to assessing impact on the Green Belt itself is sound insofar as it is consistent with the principles set out in paragraph 1.7 of PPG2

Paragraph 3.8 of the Study argues that PPG2 does not suggest that any of the purposes are more important than the others, and in the subsequent appraisal of the five sites, it treats impacts on each of the purposes as being of equal significance. In so doing, it simply ignores a key part of the policy framework in this location namely the Strategic Gap (SG) policies which demonstrate that, here, prevention of coalescence between Slough and Greater London is given very substantial additional importance. The effect is that the methodology not only treats coalescence between Greater London and Slough as of the same significance as between any two small towns in the GB which is itself absurd, but

also treats coalescence between Greater London and Slough as being of equivalent importance to whether the site has “strong boundaries”: Para 3.16. This approach is self-serving, ignores the statutory duty in s.38 (6) and is simply wrong.

The methodology section then goes on to set out an approach to assessing impact on each of the five purposes. Whilst the purposes are set out in PPG2, the gloss put on those purposes and the way in which they are tested in the SIFE study is seriously flawed and self-serving.

First, purpose 1 is not about landscape character or visual enclosure – it is about urban sprawl. Yet the SIFE study assesses it partly by reference to the extent to which the site is visually contained. No account appears to be taken of the extent to which any of the sites actually adjoin a large built up area and thus whether they will contribute to its unrestricted sprawl.

Second, purpose 2 is about the merging of towns. The SIFE study treats all aspects of coalescence as if they are of the same order of importance, thus treating coalescence between London and Slough as of the same importance as coalescence between any other two towns in the GB. This is simply wrong as the SG policies demonstrate.

Third, the approach to purpose 3, treats protecting the countryside from encroachment as a question of the strength of boundaries of the GB and the extent to which a site can positively contribute to countryside uses. That is not what this purpose is about. It is about protecting the countryside from encroachment by built development. The approach of the SIFE study ignores the main fact that the development of a rail freight interchange comprising 18.5m high buildings spread over 43 ha outside an urban area is in itself a significant encroachment wherever it is located in the countryside.

Fourth, purpose 4 is about protecting the setting and special character of historic towns. The SIFE study adds a further factor which: (1) is not relevant to the purpose; and (2) which is dealt with through other planning considerations – namely other “related heritage features”.

Fifth, purpose 5 is about directing development to the urban areas. It is not about the state of the GB land in question. Yet the SIFE study judge's compliance with this purpose by reference to the nature of the application site.

On each purpose, the SIFE study has redefined the purpose in a self-serving way, inconsistent with the words, context and purpose of PPG2 Para 1.5 and has thus resulted in a comparative GB assessment methodology which is flawed.

3. RADLETT/SIFE COMPARISON

The study seeks to ascribe a points score to each of the assessed impacts, and then sums these to arrive at an overall score for impact on Green Belt purposes. We consider that such an approach is flawed because it treats all impacts with equal weight without taking account of policies such as the Strategic Gap which

show weighting is required.

The SIFE study Results

However, if all of the concerns raised earlier in this appraisal about the specific methodologies used to assess impact on each purpose and the weighting issue are set aside, it is pertinent to note that the scores attributed to Radlett Aerodrome and SIFE are only marginally different (10 points as opposed to 8-9). Whilst in our view if the study methodologies were applied correctly, these scores would be reversed (Radlett 8-9, SIFE 10), even the SIFE Study's own scoring does not support a conclusion that development of a rail freight interchange would cause significantly less harm to the Green Belt when located on the SIFE site and when the two sites are compared on the basis of a scheme matching the scale of the SIFE proposal.

Correction of errors of judgment in the SIFE study

The SIFE study seeks to justify the scores it gives and thus its conclusion that the SIFE site would perform better than Radlett Aerodrome in terms of impacts on the purposes of the Green Belt, by claiming that the SIFE site:

- Is relatively more enclosed and potentially more likely to limit the effects of an SRFI development on its surroundings;
- Would not reduce any of the existing gaps between towns and settlements to less than those already existing in the immediate vicinity of the site, but would do so at Radlett Aerodrome.

Both of these conclusions are wrong and result in the incorrect scoring as stated above.

In respect of enclosure, the study fails to recognise the strength of the northern boundary at Radlett (comprising the embankment of the former rail line that linked Park Street to Napsbury which is reinforced 100m to the north by the dual carriageway of the A414, which is lined by substantial tree belts. The equivalent (western) boundary at SIFE comprises one tree belt.

Further, the very extensive open land to the north of the Radlett site, which would separate the buildings from St. Albans, is subject to a Planning Obligation which will retain its open character as part of the Country Park proposed in association with the rail freight interchange. The land separating the proposed SIFE scheme from Slough has no such protection, and indeed was shown as an expansion area for the proposed rail freight interchange in the representations made by Argent//Goodman at the early stages of the Slough Site Allocations DPD.

In respect of coalescence, the SIFE study point appears to be that some of the gaps in the Colnbrook area are already narrow, e.g. between Colnbrook and Poyle. However a similar situation is found in the vicinity of Radlett e.g. between Park Street and St. Albans and London Colney and St. Albans. Taking all that into account the Inspector and the SoS found no coalescence at Radlett; and the

inspector and the SoS at LIFE (albeit on a bigger site) found substantial coalescence, as is discussed further below.

Thus the SIFE study fails to consider the fact that in the case of both sites, the impact of development as a rail freight interchange on the Green Belt has already been thoroughly assessed at public inquiries. The analysis fails to grapple with the conclusions of the SoS on Green Belt impacts in both cases, which does not support the conclusions of the SIFE study.

In respect of the first three purposes, at Radlett the Secretary of State has accepted that its larger appeal scheme would not result in the merger of towns whether in an East-West or North-South Direction, but would cause significant harm in terms of urban sprawl (but not unrestricted) and encroachment on the countryside. Although the Secretary of State did also identify some harm to the setting of the historic city of St Albans, he concluded that only limited weight should be attached to this.

In contrast when considering the earlier LIFE proposal at Colnbrook, the Secretary of State accepted the Inspector's conclusion that there would be significant harm to all three of the first three purposes of the GB, in circumstances where the scheme retained a 300m gap between its nearest buildings and the eastern edge of Slough.

We acknowledge that the LIFE scheme was larger than the SIFE proposal and extended to the west closer to Slough. Hence the question arises as to whether reducing the size of the rail freight interchange proposed at Colnbrook would alter any of the Secretary of State's earlier conclusions on the Green Belt impact at the LIFE inquiry. This depends on whether it is concluded that increasing the scale of the gap between the western edge of the scheme and the eastern edge of Slough (from 300m to 800m), would be sufficient to prevent it causing London and Slough to merge. If it did, it would still only leave the SIFE site in an equal position to the larger Radlett appeal scheme in terms of impact on the third Green Belt purpose (prevention of merger of towns), not better, and in circumstances where the SIFE site could only accommodate a much smaller amount of rail-served warehousing and where the remaining land was not protected by s.106 from further development.

If the SIFE scheme is compared on a like-for-like basis with a scheme of similar scale at Radlett Aerodrome, such that the amount of urban sprawl/encroachment on the countryside is the same, than the highest it can be put is that its impact on the purposes of the Green Belt would be the same. However this conclusion is reliant on giving no weight at all to the Strategic Gap designation.

Strategic Gap

Although the increased gap proposed in the SIFE scheme is similar in size to the narrowest part of the gap (900m) between St. Albans and the northern limit of the proposed interchange buildings at Radlett, we do not consider that this does overcome the findings of the LIFE Inquiry in respect of the merger of London and Slough for two reasons.

Firstly, the gap between SIFE and the western boundary of Slough would be no bigger than those found between different parts of the adjacent London suburbs (to the east along the A4). Hence in itself, the gap would be insufficient to prevent the impression that there was a continuous urban area extending from West London to Slough.

Secondly, the significance of the SIFE site to the overall London-Slough gap is reinforced by the fact that to the east, there is only a 900m gap separating the Lakeside Estate (which forms the eastern boundary of the SIFE site) from the edge of London. This limited gap separating the Lakeside Estate from London is unrelieved for several kilometres both to north and south, as London is one of the largest built-up areas in Western Europe. Hence the land to the west of the Lakeside Estate (the SIFE site) is far more significant for preventing the merger of London and Slough than the land to the east. In the LIFE appeal decision, the Secretary of State noted and did not disagree with the Inspector's conclusion that the LIFE site was a significant part of the London/Slough gap.

In contrast the Radlett Aerodrome site plays a far less significant role within the overall gap between St Albans and Radlett, because of the wide expanse of open land to the south. Although the gap between Ventura Park (located at the southern fringe of the Radlett Aerodrome site) and the town of Radlett is similar in scale to the gap between the Lakeside Estate and the eastern boundary of London, the openness of the gap between Radlett town and Ventura Park is reinforced by its open context, reflecting the fact that Radlett is a very small town set within a substantial swathe of open countryside.

Thus if some weight is given to the SG designation, then we conclude that the SIFE scheme would cause significant harm to the third GB purpose, and thus would cause significantly more harm to GB purposes as a whole than a scheme of similar size developed at Radlett Aerodrome. In our judgement the level of harm to the SG is sufficiently great that it could not be concluded that the level of harm to GB purposes as a whole would be materially less than a scheme at Radlett Aerodrome, even if compared with its larger appeal scheme.

4. CONCLUSIONS

The methodology used to assess impact on the Green Belt in the SIFE AS Study contains a number of sound elements, notably its use of a consistent scale of development to compare the five short-listed sites and its focus on assessing impact on openness and the purposes of the Green Belt. This has been applied by using a scoring system that has not demonstrated that development of a rail freight interchange of the scale specified would have significantly less impact on the Green Belt than if the same-sized scheme were developed at the Radlett Aerodrome site.

However, in our judgement, both the methodology and its application by the SIFE AS study was flawed. We consider if these errors were overcome, and in particular if some weight were given to the Strategic Gap designation that affects the SIFE site, it would be shown that the impact of developing a rail freight

interchange at SIFE rather than at Radlett Aerodrome would have a significantly greater impact on the Green Belt. This conclusion would hold even if the sites were not being compared on a like-for-like basis by size, but if the smaller SIFE scheme were compared with the larger Radlett appeal scheme.

6.21 Highways Agency

The Highways Agency and their agent Parsons Brinckerhoff have advised that in the absence of the case officer to approve the acceptability of draft conditions they recommend delaying determination of the proposal. The Highways Agency have advised that that recommendation should be substituted with a recommendation of conditions ahead of the committee meeting on 8th September

The Highways Agency made the following representation on the Environmental Statement addendum (ES).

As you are aware, the HA, on behalf of the Secretary of State for Transport is responsible for managing and operating a safe and efficient Strategic Road Network (SRN i.e. the Trunk Road and Motorway Network) in England as stated in the Department for Transport (DfT) Circular 02/2007 (Planning and the Strategic Road Network). In this case, the HA's primary concern relates to the following junctions:

- M4 Junction 5
- M25 Junction 14
- A3044 junction with Airport Way

The HA would like to reiterate the need for the ES to consider the traffic impacts on the SRN junctions mentioned.

Their previous response was as follows:

In the case of SIFE, the SRN relates to the M4 specifically Junction 5 and the M25 specifically Junction 14

Existing Situation

Existing traffic flows

1. Paragraph 4.4.7 – it should be made clear that the adjustments made to flows on the M4 Junction 5 were only required during the PM peak.

Traffic Forecasting

2. The background traffic growth factors have been undertaken using TEMPRO6 dataset 5.4 for the period of 2008 to 2020. We consider the growth factor to be appropriate for this application.

Sustainable transport provisions

3. No further comment

Accessibility

4. Figure 6.1 taken from the TA shows the pedestrian accessibility isochrone, 2 kilometres from the site, and includes the Richings Park area (northeast of site). No pedestrian access is available from the site towards the north. Therefore, it is considered that areas north of the M4 are not accessible, unless accessed via Sutton Lane. Furthermore, it does not appear that the additional walking distance from each warehousing unit has been accounted for; the additional distance involved may deter staff walking to/from work.
5. It is noted that paragraph 5.1.6 briefly discusses rerouting the existing bridleways around SIFE. Is there an opportunity to provide a link with SIFE and areas to the north?

Measures to influence Employee and freight travel

Freight Management Plan

6. The majority of issues raised within our response to the Draft Freight Management Plan dated 19/07/10 have been resolved and included in the FMP. However, detailed below are the issues the HA consider to be outstanding.
7. Delivery scheduling and vehicles booking system - Whilst the adoption of "booking" procedures at SIFE is endorsed, it has been previously requested that the FMP should also address the procedures to be implemented if vehicles arrive earlier or later than scheduled, particularly in regards to waiting areas and queue position.
8. Route Guidance - This section includes a list of the most efficient routes for HGVs. When approved by Slough Borough Council (SBC), any details relating to measures to discourage HGVs 'rat-running' via Colnbrook Village from/to the M25 motorway should be included in this section. In addition, reference to (or details of) HGV routeing agreement, and route plans should also be provided.
9. Restrictions on parking HGVs on surrounding streets - It is understood that discussions relating to the capacity of the non-SIFE HGV parking area are still to be undertaken with SBC. Furthermore, the non-SIFE parking area will be managed by SBC. Nevertheless, it is expected that the full details of the parking arrangements will be included into the FMP when finalised with SBC.
10. The latest Framework Travel Plan has yet to be issued and therefore cannot be reviewed/cross referenced in terms of complementing the FMP and TA.

Trip Generation and Distribution

Person Trips

11. A Parking Assessment (73382/Technical Note 4 Parking) was produced in August 2009 to review the parking requirements of SIFE staff. First principles and empirical approaches were used to derive the parking profiles, and was accepted by the HA during a meeting on 12/10/09.
12. It is expected that the information in the parking assessment, which correlates with the light trip generation to be translated into this section of the Transport Assessment.

Trip distribution

13. The figures in Table 8.4 show the agreed percentage distributions. However Appendix 8.3 (Figure 0) does not show the same percentages. There is some concern that subsequent traffic flow calculations have been based on the distributions shown in Figure 0. Please clarify.

Trip assignment

14. Given the nature of SIFE, it is important that the TA and FMP are integrated. The HA has previously requested that information regarding enforcement of HGV routeing is included in the FMP.

Percentage impacts

15. The information in paragraph 8.6.3 shows the peak hour traffic impacts. It is noted that the AM and PM peaks are given as 08:00 to 09:00 and 17:15 to 18:15 hours respectively. These are inconsistent with other sections of the Transport Assessment. Paragraph 4.4.4 states that the network AM peak hour occurs between 07:30 and 08:30 hours, whilst the PM peak is between 16:45 and 17:45 hours. The trip generation forecasts also use these peak hours (see Tables 8.1, 8.2, 8.3). Clarification is required on the AM and PM peak hours assessed.
16. We received a CD which holds the spreadsheets used to estimate the impacts on the SRN. Queries have been sent to Gary Speller (Fairhurst) regarding the traffic forecasts in an emails dated 08/11/10 from PB. As a result we cannot comment further on the development impacts on the SRN at this stage.

Junction Modelling

17. The comments provided below are predominantly a technical review of Technical Note 9 (Appendix A).

The Existing Situation (2008)

18. Paragraph 2.2 - It is accepted that the traffic survey shows a high proportion of vehicles travelling from M25 northbound off-slip to Airport Way and also from M25 southbound off-slip to Airport Way. It is unclear how the figures given for the PCU values have been derived and do not

correlate with those stated at paragraph 9.10.1 of the TA.

19. Paragraph 2.3 states that “In the region of 979 PCUs were observed making this movement in a northbound direction through the junction on the day of the survey, and 637 southbound.” However, the traffic flows within the TA (paragraph 9.10.4) for the 2008 PM peak period states that the 933 PCUs were observed to make the M25 northbound slip-to-slip movement. In the southbound direction only 289 PCUs were shown to make the slip-to-slip movement in the PM peak. There is clearly a disparity in the traffic flows surveyed and those used in the 2020 junction capacity modelling. It is requested that explanation is provided.
20. Paragraphs 2.5 and 2.6 – It is accepted that the existing arrangement of the northwest section of M25 J14 does contribute to the potential conflicts of vehicles exiting to M25 northbound off-slip and vehicles wishing to circulate around the junction.

2020 Do-Nothing Scenario

21. A comparison of the 2020 traffic flows and those previously used in the 2019 Linsig models has been carried out. This revealed that for the AM peak, the total 2020 traffic flows entering the junction are lower than used in 2019. During the PM peak the 2020 flows are significantly higher than the 2019 flows used. It is also noted that for both peak periods there are significant variations in the number of traffic movements on all the links.

Linsig models

22. Vehicles in the middle lane of M25 Southbound circulating (link 2/2) are currently permitted to continue circulating on the roundabout towards A3113 circulating (Arm 4). Therefore, the link connector between link 2/2 and link 4/2 is missing.
23. The arrow marking on the middle lane of Horton Road West (link 9/2) allows left and ahead movements (onto M25 northbound on-slip and M25 southbound circulating). The link connector from link 9/2 to M25 northbound on-slip (link 11/2) is missing.

2020 With-Development Scenario (Improvement A)

24. It is noted above that there are inconsistencies with the traffic flows used when compared to the flows used in previous Linsig submissions. Nevertheless, the figures given in Appendix A of TN8 have been reviewed.
25. In general the total traffic flows entering the junction during the AM and PM peaks are considered acceptable, with the exception of the PM peak traffic on the Horton Road East circulatory carriageway (Arm 6). It is expected that the total traffic will increase by 65 PCUs, to correspond with the 65 PCUs entering the roundabout from Airport Way (SIFE traffic) and exit via M25 southbound on-slip. The Linsig results indicate a reduction of 29 PCUs, equating to a shortfall of 84 PCUs entered into Linsig from what is expected.

Linsig models

26. There is concern over the arrow markings for Improvement “A” in regards to vehicles in the middle lane of the M25 southbound off-slip (link 1/2). It does not appear that the road markings allow vehicles from this lane to travel to the off-side lane of A3113 Airport Way exit (link 12/3). Therefore the link connector in the Linsig model should be removed to reflect the proposed mitigation measure.
27. The Linsig models for the nearside lane of Horton Road West (link 9/1) show that permitted movements are left and ahead. The arrow marking on this lane is left only, consequently, the link connector to M25 Southbound Circulating (Arm 2) should be removed.
28. The link connector from the offside lane of Horton Road East circulating (link 6/3) to the middle lane of M25 Northbound circulating (link 8/2) should be removed. Vehicles exiting onto the M25 northbound (Arm 11) from link 6/3 will change between link 8/3 to link 10/2. The Linsig models should reflect the intended movements at the junction.

Proposed Improvement (Improvements A+B)

29. Paragraph 5.3 – It is noted that traffic generated by SIFE and travelling via M25J14 is relatively low in percentage terms when compared to the existing traffic. Nevertheless, the 54 PCUs arriving from the south will all make the manoeuvre from M25 (Arm 7) to Airport Way (Arm 12), via Horton Road West circulating (Arm 10). Therefore, this traffic will contribute to the existing conflict issue discussed at paragraph 2.5. Furthermore, the SIFE trips generated during the peak hours 08:00 to 09:00 and 17:15 to 18:15 are greater than the peak hours stated in the TA (07:30 to 08:30 and 16:45 to 17:45).
30. Paragraph 5.4 – The HA letter dated 19/05/10 requested supporting information to substantiate the reductions in slip to slip traffic applied to the Linsig models. It is noted that average weekday traffic flows have been derived from traffic surveys undertaken. Thus, it is considered that variations in mainline and slip-to-slip flows would be accounted for.
31. Fairhurst has previously stated that when a theoretical figure of two thirds of the slip-to-slip traffic is discouraged from entering the junction in 2019, the improvements proposed will achieve a nil detriment situation even with SIFE traffic. TN8 assesses the junction in 2020, where the traffic has been grown accordingly. However, TN8 suggests that a reduction of 75% of slip-to-slip traffic is required to achieve nil detriment. The additional 8% reduction does not correlate with the traffic growing for one additional year i.e. from 2019 to 2020.
32. The Linsig model shows that traffic on the nearside lane of Horton Road West (link 9/1) is able to use both lanes of the M25 northbound on-slip. Clearly this is incorrect, given that the Improvement B includes a segregated left turn only lane. Therefore the link connector between 9/1

and 11/2 should be removed to reflect the proposed improvement.

33. As mentioned above, the link connector between M25 southbound off-slip (link 1/2) and A3113 Airport Way exit (link 12/3) should be removed.
34. Contradictory to the proposed Improvement B the nearside lane of the Horton Road West Circulatory (link 10/1) has been modelled as an ahead and right turn movement, where as the improvement description allocates the lane as ahead only onto the M25. The inconsistency within the modelling of the improvement has resulted in an additional merging point being created with traffic from the middle lane, both merging into the middle lane of the M25 Southbound Circulatory (link 2/1). The link connector between link 10/1 and link 2/1 should be removed.
35. The proposed arrow marking indicates that the permitted movement on the offside lane of Horton Road West (link 10/3) is circulating. The link connector from link 10/3 to link 2/2 will suggest a merge conflict with traffic on link 10/2, also going to link 2/2. The Linsig models should reflect the intended movements at the junction.

Appendix 9.8 – Technical Note 9 Motorway Merge and Diverge Capacity

36. Paragraph 1.1 of TN9 states that in excess of 40% of SIFE traffic will route via M4 J5. However, the TA indicates that around 70% of SIFE HGV traffic will travel via this junction during the peak periods. Clarification of the traffic flows used in the junction assessments is requested.

M25 Junction 14

37. Southbound on-slip (merge)
 - Paragraph 2.4 – SIFE vehicle flows match those previously used in the TA and are considered acceptable. The average 2010 survey flows are also acceptable.
 - Paragraph 2.5 – It is accepted that the merge is a lane gain with ghost island merge (F option 2 (5 lanes on mainline) in Figure 2/4.4 TD 22/06.
 - Paragraph 2.6 – The average 2010 traffic survey flows shown in Table 2.2 appear to correspond with the survey data shown in Appendix A. The surveyed traffic has been growthed from 2010 to 2014 using Tempro factors of 1.074 and 1.073 (AM and PM). The Tempro factors of 1.151 and 1.150 have been growth traffic from 2010 to 2020. Therefore, the traffic flows shown for the future years are considered acceptable.
 - Paragraph 2.7 – Based on Figures 1 and 2 it is considered that the existing merge arrangement is satisfactory to accommodate the forecast future year traffic both in the AM and PM peaks.
38. Northbound off-slip (diverge)
 - Paragraph 2.8 - SIFE vehicle flows match those previously used in the TA. The average 2010 survey flows are also acceptable.
 - Paragraph 2.9 – The junction type in the northbound direction has been incorrectly stated as a merge, this should be referred to as a DIVERGE type junction. Nevertheless, it has been correctly identified as a D option 2 (4 lanes on mainline) in Figure 2/6.3 TD 22/06.

- Paragraph 2.10 - The average 2010 traffic survey flows shown in Table 2.3 appear to correspond with the survey data shown in Appendix A. Again the Tempro factors of 1.074 and 1.073 (AM and PM) have been used to forecast the 2014 traffic and Tempro factors of 1.151 and 1.150 (AM and PM) have been used to forecast 2020 traffic levels.
- Paragraph 2.11 – Figure 3 suggest that six lanes on the mainline (currently four lanes) would be required to accommodate the 2014 AM peak traffic volumes forecast. The PM peak traffic can be satisfactorily accommodated by the Paragraph 3.4 – The SIFE traffic figures are acceptable. However, it is noted that there are inconsistencies in terms of the time periods used - the 2008 surveyed off-slip traffic flows are quoted to be 1,028 and 690. These flows are greater than the 2009 off-slip flows shown in the table at paragraph 3.5.
- Paragraph 3.5 – The eastbound off-slip is a type A – Taper diverge, as shown in Figure 2/6.1 of TD 22/06, this has been incorrectly stated as a merge in this paragraph.
- Clarification is requested on the mainline traffic flow figures used. A similar comment to that given for paragraph 3.2 applies, where the mainline flow is stated as 4,195 vehicles in the TA on the eastbound merge (2009 AM peak). However, in TN9 the mainline flow for the diverge is given as 3,803 vehicles (2009 AM peak). There is clearly a difference of 392 vehicles, which equates to 422 vehicles to additional vehicles in 2020. In terms of the off-slip flows, the TA shows these to be 1,027 and 728 vehicles in the AM and PM respectively for 2009.
- Paragraph 3.6 – The revised figures have been applied to Figures 7 and 8, which indicates that a type ‘C’ diverge junction configuration would accommodate the forecast traffic volumes in both the 2014 and 2020 scenarios. It is not apparent how the figure of 369 has been calculated for the growth in traffic on the slip road. Clarification is requested.
- existing junction configuration with 4 lanes on the mainline. For the future year of 2020, again Figure 4 suggests that six lanes are required on the mainline carriageway to accommodate the AM peak flows.

M4 Junction 5

39. As previously requested the ‘western’ portion of the M4 Junction 5 has been assessed to show the impact of the SIFE development.

40. Westbound on-slip (merge)
 - Paragraph 3.1 – The SIFE traffic levels shown for AM and PM peaks are accepted. Please clarify the time period referred to in the second sentence - “At the point of merge with the M4, surveyed traffic flows in 2008 show slip road flows to be in the region of 967 and 953 (2014) for the AM and PM peak periods.....”
 - Paragraph 3.2 – It is noted that the mainline flow is stated as 4,773 vehicles for the westbound diverge during the 2009 AM peak, in the TA. However, in TN9 the mainline flow is given as 4,398 vehicles during the same period. For the merge assessment the upstream flow only accounts for the traffic approaching the merge, whilst the diverge assessment considers the downstream traffic passed the diverge point.

There is no opportunity for traffic on the mainline carriageway to leave the motorway between the diverge and merge points, consequently, it is expected that the mainline flows should be the same. There is clearly a difference of 375 vehicles. When growth factors are applied to the additional traffic equates to around 403 vehicles.

- Paragraph 3.3 – The assessment shown in Figures 5 and 6 indicate that during both the AM and PM peaks an ‘E’ - Lane gain type merge would accommodate the forecast traffic volumes in 2020. However, using the TRADS data given in the TA suggests that a ‘B’ – Parallel Merge type merge (with 4 lanes on mainline) would be required.

Eastbound off-slip

41. There are several inconsistencies which need to be addressed within the assessment of the merges and diverges at M4 Junction 5, in terms of the mainline traffic flows, slip road traffic flows and time periods used.

Accident Analysis and Safety Audit

42. It is acknowledged that following HA recommendations the accident analysis has been revised to include the most recent available personal injury accident data. The analysis covers a five year period, between January 2005 and December 2009.
43. The text does not reflect the revised PIA assessment or the information contained in Appendices 10.1 and 10.2. Consequently, there is concern over the validity of the information submitted and the conclusions drawn from this information.
 - Paragraph 10.1.2 states that “Eleven of the accidents (or 10%) resulted in serious injury.” However, Appendix 10.1 shows that a total of 16 serious accidents recorded. This equates to 11.4% of 140 and therefore, even higher than expected.
 - Cluster 2 – London Road from M4 to gyratory - A total of 12 accidents were recorded for this cluster. Therefore the average over 5 years should be 2.4 PIAs per annum. Two Serious accidents occurred along this section of highway, whilst a total of four accidents involved rear end shunts.
 - Cluster 3 – A4 junction with Stanwell Moor Road - The text does not state that one serious accident occurred within this cluster. It is noted that four accidents involved failure to give way rather than three, as mention in the TA.
 - Cluster 4 – Stanwell Moor Road junction with Bath Road - The incorrect average has been stated. A total of 12 accidents were recorded for this cluster. Consequently the average over 5 years should be 2.4 PIAs per annum.
 - Cluster 5 – Stanwell Moor Road roundabout - An incorrect average of 3.2 PIAs per annum has been quoted. A total of two serious severity accidents occurred within this cluster.
 - Cluster 6 - Airport Way/M25J14 - “One accident involved an HGV but the details of this are not known.”, however the HGV accident description is contained in Appendix 10.1. Furthermore this accident is classified as Serious in severity.

Accidents involving HGVs

44. An incorrect average of 4.3 PIAs per annum has been quoted.
45. No accident plot has been provided for either the M4J5 or M25J14. The description of the constraints/analysis area is unclear. It is recommended that clarification of the specific 'accident cordon' is provided, along with the missing accident plots.
46. From inspection of the data contained in Appendix 10.2, it is noted that the number of recorded accidents for the M25 is significantly less than that recorded for the M4. Whilst this would appear to be a positive outcome, the number of accidents recorded is less than would be expected. It is considered that a full assessment of the available PIA data may not have been undertaken. It is recommended that the M25 J14 PIA assessment is reviewed to ensure a comprehensive assessment is carried out to inform the TA.

Mitigation Measures

47. Until the issues detailed above have been resolved the HA are unable to comment further on the mitigation requirement or recommend appropriate conditions.

6.22 London Borough of Hillingdon

London Borough of Hillingdon raises strong objection to the proposed scheme on the following grounds:

1. The proposed development, due to the volume of traffic generated, would have an adverse impact on the surrounding road network. Concern is particularly raised over the impact on the A4/A3044 junction which is already at maximum capacity during peak times. Considerable concern exists over the robustness of the Transport Assessment and the modelling which fails to demonstrate that the development would not result in unacceptable impacts on the highway network in the London Borough of Hillingdon. The proposal is therefore contrary to policies AM1, AM2 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
2. The Transport Assessment fails to demonstrate that freight would be moved by rail and fails to provide evidence that any modal change benefits would arise from the operation of the SIFE. The proposal is therefore contrary to policies 3C.5, 3C.25 and 3C.26 of the London Plan 2008.
3. The proposal would result in a significant increase in noise from both road traffic and rail transport associated with the scheme, detrimental to residential amenity and contrary to policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policy 4A.20 of the London Plan 2008 and guidance within the Council's Supplementary Planning Document on Noise.

4. The proposal fails to adequately consider the impacts of vibration from operational rail traffic, on nearby local residents, contrary to Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and guidance within the Council's Supplementary Planning Document on Noise.
5. The proposal would result in adverse local air quality impacts in an area already subject to elevated concentrations of pollutants. There are no control measures to ensure that increased vehicle movements will not add to the local air quality burden and there is no robust evidence to support the stated principle of air quality improvement associated with the wider benefits of the development (e.g. by removing HGV movements from the road network through significant increases in the use of rail). The proposal therefore fails to comply with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 4A.19 of the London Plan and guidance within the Council's Supplementary Planning Guidance on Air Quality.
6. The proposed development would result in the unacceptable loss of, and detract from the visual amenities of, Green Belt land contrary to the aims of Policy 3D.9 of the London Plan (Consolidated with Alterations since 2004), Policies OL1 and OL4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and guidance contained within Planning Policy Guidance 2: Green Belts.

Concern is raised over the lack of commitment to the use of rail. The Transport Assessment does not consider rail access and fails to guarantee that the proposed modal change benefits of the Freight Exchange will actually be delivered.

Hillingdon Environmental Protection Unit

The noise assessment of road traffic is based on a number of traffic assumptions. If these traffic assumptions are incorrect, there could be an increase in traffic and resulting noise travelling through roads in Hillingdon, which would be a concern.

Noise from operational rail traffic Rail noise is assessed at two locations, 59 Fairway Avenue and Tavistock Road, both located within Hillingdon.

The assessment assumes there are currently 10 train "paths" per day available and that a maximum of 20 further paths could be made available for trains using the freight terminal.

The predictions of railway noise levels have been made for railway vehicle rolling noise only. Assessments based on both "relative" rail noise levels and "absolute" rail noise levels have been provided.

In terms of relative noise levels, at Fairway Avenue, LAeq railway noise levels are predicted to increase by 0.1 dB over the daytime, and by 0.4 dB over the night. At Tavistock Road, LAeq railway noise levels are predicted to increase by 0.4 dB over the daytime, and by 1.5 dB over the night. The ES classifies these resultant railway noise changes as minor adverse effects and not significant.

In terms of absolute noise levels the ES points out that baseline and future train noise levels at dwellings overlooking the Colnbrook branch line are significantly below the threshold for entitlement to compensation under the Noise Insulation

Regulations in respect of noise from a new or altered railway line. The ES refers to the baseline noise level of 57 dB LAeq measured overnight at 59 Fairway Avenue. It is stated that this would equate with an indoor value of 47 dB LAeq assuming an open window. The ES consequently recognises that baseline noise levels at both Fairway Avenue and Tavistock Road exceed the acoustic comfort standards for both living rooms and bedrooms given in BS8233: 1999 "Sound insulation and noise reduction for buildings – Code of practice".

Railway noise considered on its own is predicted to increase by 3.4 dB LAeq daytime and 2.6 dB LAeq night at both Fairway Avenue and Tavistock Road. These increases are significant because they are largely caused by an increase in number of trains.

The current ambient noise levels at these residential locations are high. Any further deterioration should be resisted.

The relative and absolute noise assessments carried out in the ES are based solely on a consideration of rail traffic noise levels using the parameter of LAeq for daytime and night. It is accepted that the area is already affected by noise from passing trains. Nevertheless, there is no proper consideration of LMax noise levels at Fairway Avenue and Tavistock Road caused by the proposed freight terminal trains passing by at night. It is considered that the development would lead to an increase in number and frequency of noise disturbance associated with the increased numbers of trains using the Colnbrook branch line.

Vibration from operational rail traffic The ES states that it was not possible to undertake any meaningful baseline survey of vibration from trains on the Colnbrook branch line owing to the infrequency and irregularity of the existing use of line. However, it concludes that it is unlikely that the increase in train numbers on the Colnbrook branch line with the development would generate adverse comment from residents.

It is considered a shortcoming of the assessment that no measurement of baseline railway vibration levels was undertaken, and that there is no quantification of railway vibration levels with the development. The assessment also relies on an apparent lack of complaints from residents about existing railway vibration levels without any proper knowledge of residents' opinions. The vibration assessment is therefore considered to be inadequate.

Mitigation measures No mitigation measures are proposed.

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AIR QUALITY

There would be adverse local air quality impacts in an area already subject to elevated concentrations. An increase in traffic volume and/or congestion will add to the burden on nearby areas of already known exceedences. Future year predictions with regard to local air quality reductions are not being realised in practice.

The scale of the air quality impacts relies on the accuracy of the transport model and its associated outputs. This accuracy has been questioned and, there is therefore, a possibility that the impacts on Hillingdon receptors have been under-

estimated.

There are no control measures to ensure that the large increase in vehicle movements will not add to the local air quality burden currently experienced by the Hillingdon residential areas in close proximity to the site.

There is no robust evidence supplied to support the stated principle of air quality improvement regarding the wider benefits associated with the development and there are no identified targets associated with ensuring the rail element of the proposal. There are no controls discussed to ensure the proposal, as stated, occurs in practice.

Main Planning Issues

(i) Principle of the development

The application site falls within the Green Belt as identified in the Slough Core Strategy. Whilst, given the distance from the Borough boundary, the proposal is unlikely to be visible from the London Borough of Hillingdon, concern is nevertheless still raised over the precedent allowing such a large development in the Green Belt could have.

(ii) Impact on the highway network

The proposed development consists of 193,000m² of warehouse and 6,507m² of offices attracting approximately 3,000 staff over three shifts. Parking spaces will be offered for approximately 250 heavy goods vehicles and 1,000 cars for staff working over the three shifts. An eastern access eastbound slip road is proposed immediately west of the Colne Bridge to allow entry for HGV traffic arriving from the west only. It is a concern that pressure for access from the south-east is, in time, likely to build up and create demand for a full interchange adding more pressure on the A4 east of the M25.

The Transport Assessment supporting the planning application is focused on access provision for heavy goods vehicles and cars. It concentrates on two junctions with some consideration to traffic implications on the wider road network including the A4 east of the M25 and its A3044 Stanwell Moor Road junction. It is a matter of concern that even, what could be argued as, one of the most important junctions, the M4, J5 required a significant level of adjustments to ensure that the traffic flows for the base situation for a "typical" day were simulated in the model as surveyed on site.

It is a further concern that 1,810 two-way vehicle movements would pass the site on the A4 Colnbrook Bypass during the PM peak period. Such traffic flow is normally very close to the maximum capacity for a single carriageway, leaving very little scope to accommodate growth. The A4/A3044 Stanwell Moor Road junction design is currently running at maximum capacity and will require substantial investment to accommodate additional traffic.

The A4 east of the A4/A3044 Stanwell Moor Road junction is effectively full and will require substantial investment to accommodate additional traffic which will be

contrary to current policy.

The HGV trips with destinations accessed via the M25 south (assumed to be 27%) were assigned onto the local road network via the A4 east, Stanwell Moor Road, Airport Way and junction 14 of the M25, whilst all other trips (73%) were assigned via the M4,J5.

A convincing explanation of the modelling assumptions and rationale behind anticipated traffic distribution is lacking. Considerable concern exists with the robustness of the transport assessment and the absence of an appropriate network model to fully simulate the impact of the development. The modelling assumptions used are questioned and the basis for 27% assumed HGV trips with destinations accessed via the M25 south of J15 is unclear. Concern is also raised that traffic will travel via the M25 Junction 14 for journeys to/from the south, as a short cut.

Staff changeover times are likely to be around 06.00, 14.00 and 22.00hrs. These times are outside the normal peak periods but coincide with some of the Heathrow peak hours and staff working times which already cause congestion especially around 06.00 in the immediate vicinity of M4,J4, close to the site. The shifts generate demand for transport at times when public transport provision is light.

The total number of person trips to the site per weekday is estimated to be 2,097 of which 1,572 (74.9%) would travel by private car, 184 by bus; 34 by bicycle and 43 on foot. The percentages of bus users, cyclists and pedestrians are well below the desired modal split aspired for within the London Borough of Hillingdon.

The sustainable element of the transport assessment lacks the necessary thoroughness and commitment to modal change in line with current policy and practice. National Cycle Route 61, for example, leads westwards through Colnbrook village along the Bath Road. The Route provides the only direct traffic free link between Reading and the London Borough of Hillingdon. The diversion through Colnbrook, though quiet and doubtless attractive to leisure cyclists should be enhanced rather than be treated as “time-consuming compared with the unofficial route to Brands Hill along the A4 footway”.

The main concern is with the lack of commitment to the use of rail. The Transport Assessment does not consider rail access and guarantees that the proposed modal change benefits of the Freight Exchange will actually be delivered are totally lacking.

(iii) Air Quality

The proposed scheme involves the introduction of large volumes of HGVs and LGVs, plus cars associated with staff commuting, into an area of poor air quality and onto a road network which is already heavily congested. The location is in close proximity to the south-western Hillingdon borough boundary, an area that has already been declared as an Air Quality Management Area (AQMA) due to exceedences of the annual mean nitrogen dioxide objective. This southern half of the AQMA is particularly badly impacted by emissions associated with the

operation of Heathrow Airport, the M4, the A4 and the M25.

Construction impacts have been assessed and reference made to the GLA Best Practice Guide for Controlling Dust and Emissions from Construction Sites. Any impact on Hillingdon residents will depend upon the ability of the Construction Management Plan to apply appropriate rigorous mitigation measures. Mention is made of appropriate routes for construction vehicles. Hillingdon would wish to ensure these routes did not impact on roads within the borough.

The rail element of the proposal has been scoped out of the air quality assessment due to the low numbers of rail movements and the proximity of the nearest residents being approximately 200m from portions of the railway lines where there may be stationary or idling trains.

The air quality assessment recognises that there are adverse local air quality impacts in an area which is already subject to elevated concentrations. With regards to impacts on Hillingdon, the air quality assessment has identified receptors in Bedfont Court and in Longford. The air quality assessment concludes that the impact at these receptors is “imperceptible” with regards to magnitude of change and “negligible” with regard to effect descriptor.

It should be noted that the air quality levels predicted in the assessment appear much lower than that predicted by borough modelling and the annual mean nitrogen dioxide levels currently experienced in Longford are only just below the EU limit value. There is, therefore, a concern that the model could be under-predicting the impacts in Hillingdon. In addition the assessment recognises that the future year predictions with regard to local air quality reductions are not being realised in practice. This applies to Hillingdon where levels are now showing no discernible downward trend in concentrations, especially close to major roads.

Issues have been raised from the Council's Highway Engineer relating to the existing congested road network conditions, operation of the major junctions and concerns over the robustness of the transport assessment. The M4 within Hillingdon passes in close proximity to residential areas and is already recognised as a major contributor to levels of pollution above the EU limit value. The A4, in combination with the emissions from Heathrow Airport, is also a road of concern and data from an air quality monitoring station in a residential area close to the A4 (Hillingdon Oxford Avenue) in Hillingdon is currently above the EU limit value. Any further congestion on these roads in Hillingdon will lead to a worsening of the air quality impacts in residential areas already above recognised health limits.

The accuracy of the air quality assessment depends upon the robustness of the transport model used for the proposal. Any inaccuracies in the transport model could have significant implications for the robustness of the air quality assessment conclusions.

Although HGVs are large sources of emissions, the predicted increase in LGVs is also of concern. Whilst there may be the potential to control the routing of HGVs to avoid sensitive areas, as discussed in the Freight Management Plan, there is no associated plan for controlling the movement of LGVs or the significant increase

brought about by staff and visitor commuting. This could add to growing congestion on local roads within Hillingdon and hence increased air quality impacts. There has been no exploration of accompanying control or mitigation measures, for example, the establishment of a site specific Low Emission Zone for all vehicles.

The scheme recognises that there are adverse local air quality impacts in an area already subject to elevated concentrations. In areas close to the M4 and the A4 in Hillingdon, there are already exceedences of the EU limit value, an increase in traffic volume and/or congestion will add to this burden. In addition, future year predictions with regard to local air quality reductions are not being realised in practice. This applies to Hillingdon where air pollution levels are now showing no discernible downward trend in concentrations, especially in areas close to major roads.

The scale of the air quality impacts relies on the accuracy of the transport model and its associated outputs. This accuracy has been questioned by Hillingdon Transportation officers and, there is therefore, a possibility that the impacts on Hillingdon receptors have been under-estimated.

There are no control measures to ensure that the increase in HGVs, LGVs and private transport associated with visitors and staff commuting will not add to the local air quality burden currently experienced by the Hillingdon residential areas in close proximity to the site.

There is no robust evidence supplied to support the stated principle of air quality improvement regarding the wider benefits associated with the development (e.g. regarding removing HGVs movements from the road network) and there are no identified targets associated with ensuring the rail element of the proposal. There are no controls discussed to ensure the proposal, as stated, occurs in practice.

(iv) Noise

In terms of noise from construction road traffic, the Environmental Statement (ES) states that construction traffic on the Colnbrook Bypass to and from the SIFE site will contribute an imperceptible increment to roadside traffic noise levels and there will be no adverse effects on residential receptors.

In terms of noise from operational road traffic, the statistics provided indicate that the majority of HGV traffic generated during operation of the freight terminal will enter from, or depart to, the west via the A4 and M4. It is claimed that relatively little HGV operational road traffic will be generated on roads to the east and that a fraction will use the A4 east, Stanwell Moor Road (A3044) and Airport Way (A3113).

Predictions of operational road traffic noise levels and noise changes at 11 residential receivers, situated to the south and west of the freight terminal site, are provided. None of these receivers is in the London Borough of Hillingdon. However, a simpler form of assessment is carried out for roads east of the M25 on which "with development" traffic increases were forecast. Roads to the east of the

M25, which have been considered, include the A4 east, Stanwell Moor Road and Airport Way. The simplified assessment consists of estimating roadside “Basic Noise Level” with and without the development. This allows a comparison to be made between scenarios to determine road traffic noise level changes but not absolute resultant road traffic noise levels at residential receivers. It is shown that additional generated road traffic flows add less than 1 dB to roadside traffic noise levels. The ES rates this as a “negligible” noise impact.

The assessment relies on the traffic predictions that most operational road traffic will use the A4 to the west of the site access. It is therefore assumed that only a minor part of operational road traffic will use the A4 to the east of the site access. The assessment further assumes that most of the operational road traffic that does use the A4 east of the site access will use Stanwell Moor road. It is consequently assumed that little operational road traffic would use the A4 east of the junction with Stanwell Moor Road. The noise assessment of road traffic is consequently based on a number of traffic assumptions. If these traffic assumptions are incorrect, more operational road traffic than assumed could travel through roads in Hillingdon borough with associated noise. This is of significant concern.

An assessment of noise from operational rail traffic has been provided. This has been assessed at two locations, both of which are in Hillingdon Borough. One location is 59 Fairway Avenue overlooking the Colnbrook branch line south of the Great Western Main line. The other location is Tavistock Road overlooking both the Colnbrook branch line and the Great Western Main line.

The assessment assumes that there are 10 train “paths” per day currently available for freight trains on the Colnbrook Branch line. As regards future use with freight terminal, the assessment assumes that a maximum of 20 further paths could be made available for trains using the freight terminal. These 20 further paths are said to be the maximum future allocation as determined by the predicted occupancy of the Great Western Main line after opening of Crossrail (which will add traffic and take up paths).

The assessment states that the Colnbrook branch line has no significant gradient and speed limited, and that consequently most trains passing over the northern part of Colnbrook branch line now and in the future will do so effectively at coasting power. The predictions of railway noise levels have consequently been made for railway vehicle rolling noise only, without any full-power locomotive component. The predicted noise levels are used to carry out assessments based on both “relative” rail noise levels and “absolute” rail noise levels.

The assessments indicate that there would be significant increases in noise at both Fairway Avenue and at Tavistock Road, largely caused by an increase in trains.

The baseline noise levels at Fairway Avenue and Tavistock Road already exceed the acoustic comfort standards for living rooms and bedrooms given in BS8233. Therefore, the current ambient noise levels at these residential locations are already regarded as high. Any further deterioration as would be caused by trains accessing the freight terminal development should be resisted.

Concern is raised that there is no proper consideration of LAmox noise levels at Fairway Avenue and Tavistock Road caused by the proposed freight terminal trains passing by at night. It is considered that the development would lead to an increase in number and frequency of noise disturbance associated with the increased numbers of trains using the Colnbrook branch line.

The ES also contains an assessment of vibration from trains. It suggests that it was not possible to undertake any meaningful baseline survey of vibration from trains on the Colnbrook branch line owing to the infrequency and irregularity of the existing use of the line. The number of trains generated by the development would be 9 trains per day inbound and outbound, or 18 train movements per day. This compares with 10 available train paths at present. It is assumed that freight trains serving the freight terminal will generate a similar vibration magnitude as existing freight trains using the Colnbrook branch line. It is suggested that vibration from current use of the line by freight trains does not appear to have provoked adverse comment from neighbouring residents. The ES accordingly concludes that it is unlikely that the increase in train numbers on the Colnbrook branch line with the development would generate adverse comment from residents.

It is considered that it is a shortcoming of the assessment that no measurement of baseline railway vibration levels was undertaken, and that there is no quantification of railway vibration levels with the development. The assessment also relies on an apparent lack of complaints from residents about existing railway vibration levels without any proper knowledge of residents' opinions. The vibration assessment is therefore considered to be inadequate.

No mitigation is proposed for mitigating the effects of road traffic noise, rail traffic noise or train-induced ground and building vibration. The ES provides residual noise and vibration effects. The only acknowledged residual effect relevant to Hillingdon borough is referred to as a "minor adverse effect" from operational rail traffic on residents of dwellings adjoining the Colnbrook branch line in West Drayton.

Significant concern is raised over the potential impacts of noise and vibration, related to rail movements on the Colnbrook branch line. Concern is also raised over the operational road traffic assumptions and associated road traffic noise impacts in Hillingdon borough. If the development is to proceed, appropriate mitigation of railway noise and vibration impacts for residents of Hillingdon borough should be sought.

Despite the applicants claims that the development would be highly sustainable, questions are raised over how sustainable the development really would be, particularly given the high volumes of road traffic created and the limited amount of freight which would be transported by rail (notably there is no mention of rail in the Transport Assessment).

Significant concerns are raised over the potential impact of the development on the London Borough of Hillingdon in terms of traffic, congestion, noise and air quality. Additional concerns are raised over the appropriateness of siting the

development within the Green Belt, and the associated visual impacts.

The proposal would be contrary to UDP and London Plan policies and, accordingly, it is recommended that objections are raised to the proposal on these grounds.

6.23 Iver Parish Council

Iver Parish Council made the following representation on the Environmental Statement addendum (ES).

The developer has concentrated vehicle routing on east, west and southerly movements, completely ignoring northern traffic. It will be essential to secure agreements to move traffic along the M4 and M25 to access the M40. Rat running through Iver contributes significantly to abnormally high HGV traffic volume on unsuitable residential roads.

Richings Park, Iver, is an adjacent residential area which will be significantly impacted but Iver has not been consulted about dust and noise during construction nor about the inevitable and continuing operational noise.

A reference on Page 26 confirms that property in Old Slade Lane is likely to be adversely affected by dust during construction, noise will also be intrusive. Yet there has been no consultation.

The proposed enhanced footpaths and bridleways accessed from Old Slade Lane are of considerable interest but our views have not been sought nor taken into account.

Section 106 payments should be applied to benefit the Colne Valley Park and for specific mitigation of the long term effects of noise, dust and light pollution in Richings Park.

Their previous response was as follows:

Iver Parish Council strongly objects as :-

1. Development is in the Metropolitan Green Belt and Colne Valley Park.
2. Adverse effect on the environment including air quality.
3. Concerns about increased noise.
4. Concern about visual impact.
5. Adverse effect on footpaths and bridleways.
6. The proposal would result in an increase in vehicle movements on the adjacent highway network, including Iver Village. These rural roads would be adversely affected by the additional heavy traffic generated by this proposal. Additional heavy goods vehicle trips would adversely affect the character and amenities of properties in the locality due to noise, vibration, disturbance and visual intrusion. The roads of South Bucks are not considered suitable for significant increases in large goods vehicle movements since such traffic would have an adverse impact on the quality and character of these roads.

7. An increase in traffic along the A4 which is already overloaded. The capacity of M4 junction 5 roundabout is beyond capacity at times during the day. Some vehicles will then choose to divert from main roads and pass through Iver which would further exacerbate the problem of the amount of HGV vehicles driving through the village.
8. Rail noise to local properties.
9. Must consider the effect on residential properties in Iver Parish (Richings Park) as well as Colnbrook and Langley.
10. Iver Parish Council would like to see a very clear analysis of the volume of freight likely to arrive and leave by road, rail and directly to and from airport.

6.24 Local horse rider

The consensus is that this is going to be very detrimental to the area and environment. You are not going to be able to ride horses down the track if there is a lot of noise going on at the site. From reading the planning permission there are going to be lorries lots of lighting. You could end up with some nasty accidents, horses bolting and ending up on the main A4 Colnbrook road. That field was a haven (albeit when we rode in the field we kept to the edge of the field) I have taken many novice riders over there as it was away from the main road and very quiet. Even though I have moved Stables I still sometimes drive my horse to the bottom of Old Slade Lane and hack over the M4 and around the bridle path there. It is such a pity as there was lots of wildlife on that site which will be totally wiped out.

6.25 Local residents : Paul Fawcus, John Garlick, GL Palmer

Serious concerns on the impact of the scheme on the local area which include the following:

Traffic/congestion

The inclusion of two new accesses from Colnbrook by pass and new and traffic lights will slow down the by-pass.

The proposal suggests that Slough Borough Council plans to widen the By Pass to include a new bus lane on either side, but no firms plans for this work as stated and in the current climate it must be assumed that this will not coincide with the construction of SIFE.

No other road widening schemes are described and junction improvements will only alleviate the key pressure points. Extra lanes to the by-pass must be a condition of any approval or existing users of this important artery for Slough will suffer a huge degradation.

The prediction of 3,230 new HGV movement fails to include additional car journeys for employees.

Employment

While the large number of employment opportunities set to be created is welcome in the current climate, Goodman's claims for 3,000 new jobs is not justified in its application and needs to be broken down to plausible. Goodman has stated that it will outsource the management of SIFE and let out much of the distribution space to third parties who may well simply transfer their operations from existing bases in the area.

It is difficult to see what employment opportunities will be created and certain guarantees should be built into the proposal, perhaps requiring a certain percentage of the available warehousing to the pre-let prior to construction.

In creating such a large number of particularly unskilled and semi skilled roles, SIFE would put local businesses already finding recruitment difficult at a severe disadvantage.

The new jobs created would also have an impact on wage levels, causing an inflationary impact.

Services

In creating 3,000 new positions SIFE will no doubt attract some migration into Colnbrook and neighbouring villages. Housing and services in the Slough area is already under extreme pressure from the influx of Eastern Europeans in the last few years. The further threat to Green Belt to expand housing stock will be great.

Infrastructure

Goodman are open about not having considered impact on SBC's strategic aim of supporting a direct rail link From Slough to Heathrow in its design for SIFE, or on mitigation for Heathrow AirTrack (for which plans are in the public domain) which will also use the same line. They must not be jeopardised by SIFE and further explanation from Goodman is required. Too many large infrastructure projects fail to consider the knock on effects to the local area.

I believe this proposal in its current form should be rejected.

6.26 Local residents J Garlick , GL Palmer

Threat to Wildlife

Strongly object to the proposed development for the following reasons:

Further erosion of the Green Belt so quickly after the loss of Horton Road farmland for gravel extraction, the extended land fill operations off Sutton Lane, the transfer of Perry Oaks Sludge works, Terminal 5 and Grundon's super incinerator is quite unacceptable on environmental and sustainability grounds aside from the impact on the local community.

Even though minor new habitats may well be created as part of the SIFE proposal, the risk of disturbance to existing species during and after construction from noise,

pollution and vibration could be devastating.

Number of protected species on the site include Kingfisher, Pipistrelle Bats, Grass Snake, Common Frog and Bullhead. Red list birds include Song Thrush, Linnet etc. This is an important area for small mammals, reptiles and other rare species

The Gooman application refers to a neglected site and glosses over any value it has for wildlife or local ecology. To the contrary, part of the site was formerly an SSSI but redesigned following gravel extraction.

In moving Old Slade Lake and Orlitts Lakes, irreparable DAMAGE TO A Wildlife Heritage Site (WHS) may be caused along with damage to Iver Gravel Pit Lakes Site of Importance for Nature Conservation.

The loss of the strategic gap between Slough and London is not purely an issue for the local community having lost 97% of our lowland grassland, 80% of our wetlands and 150,000 miles of hedgerows a preference to build on Green Belt as opposed to brownfield cannot be mitigated by putting a few peripheral areas under "active management".

Part of the site is still classed as Grade A agricultural land which would be lost forever if this development is allowed to process as proposed.

Green Belt

While I support the principle of shipping freight by rail I dispute the claimed environmental case for the proposed Slough International Freight Exchange (SIFE) on land north of Colnbrook By-Pass.

According to Goodman's proposal, only two of the three super warehouses will be connected to rail sidings, while only one is intended to be intermodal. This suggests that the scheme hardly counts as a Strategic Rail Freight Interchange (SFRI), being a small RFI at best. I question whether this is really just an excuse to build additional warehousing on Green Belt.

I also question the amount of warehousing included in the plans submitted. The LIFE scheme proposed 14 trains in each day and 200,000 sqm of warehousing and when the Secretary of State rejected it in 2002 it was noted that this represented only 25% of goods in and 8% of goods out being by rail, questioning the environmental credentials of the scheme.

The SIFE proposal is for 9 trains in each day, yet with only 10,000 sqm less storage. It is therefore clear that this will be primarily a road to road based distribution facility and the claim for sustainable distribution will not even be to the level claimed for LIFE which itself was thrown out.

The 2002 appeal decision endorsed the conclusion that 15,000 sqm of warehousing was required per train.

Goodman's own criteria suggested 40 ha is the minimum required to support an

SFRI, including warehousing, intermodal terminal and rail sidings (at a 40% footprint). Anything beyond this is clearly extraneous to the RFI itself and does not justify the loss of Green Belt.

The Goodman application observes that warehousing space created may command a premium rental value as “a consequence of the popularity of the general location and demand coupled with general limitations of supply; particularly of large sites in single ownership” This should not be a material consideration for the application and, indeed and there is a considerable amount of warehousing property currently available in the area.

There are 66,000 ha of brownfield sites are currently available in England, mainly in the south east, and many hundreds of thousands of square metres of vacant warehousing in Colnbrook and Poyle alone. No doubt it is cheaper and easier to develop on green field sites. If the proposal is truly strategic in nature and in the interest of long term sustainability, the business case should support the longer term payback period associated with brownfield acquisition and development. If it does not , the scheme is not viable.

Goodman claims use of this Green Belt site is justified for SRFI development by “its relatively enclosed character” enduring boundaries around its perimeter” and its ability to maintain “separation between the main surrounding settlements”. Unbelievably it appears to be suggesting that the site can continue to act as a “Strategic Gap”!

It also refers to the Sutton Road landfill operation to the west providing a natural barrier to further development. This is a claim it cannot uphold as the future for the site is not part of the application. On the contrary, the promise that former landfill sites are returned to agricultural use is all too easily broken; the expectation will be that if development is allowed on the former Tanhouse Gravel Pits, development will be inevitable on the Sutton Lane site in years to come.

Contrary to Goodman’s suggestion that the Local Plan already supports an SRFI, it is important to note, as you will be aware, that this only arose because Goodman made a successful challenge against Slough Core Strategy Development Plan in May 2008 and even then, to provide only a framework for consideration of an SFRI, with major conditions.

“Any further rail freight facilities at Colnbrook would have to demonstrate that there was national or regional need... and very special circumstances sufficient to overcome Green Belt and other strategic planning obligations...accommodated upon both the existing road and railway network...safeguarding capacity for both Crossrail and the proposed Western Connection Passenger rail link to Heathrow... In order to ensure that the proposed benefits of the Freight Exchange are actually delivered, a high level of rail use of the warehousing would have to be guaranteed..”

It would not appear that SIFE meets any of the “very special circumstances” which Goodman accepted in 2008. Loss of Green Belt could only be contemplated given a considerable beneficial environmental impact. This

proposal clearly does not deliver that Brownfield alternatives must be considered or this project should be scaled back to something more appropriate.

6.27 Local residents : M Kearney , J Garlick , K Leach , GL Palmer

Object to the proposed development

Lack of Community consultation

It stated in the statement of community involvement accompanying SIFE application that no direct objections have been received from local residents. Not surprising as residents knew nothing about it. A question raised on how well it had been publicised? Residents stated they heard it from an email from other residents. They feel that the residents of the surrounding area should have been notified considering the impact on the community.

Detrimental impact on open spaces

Goodman claims that the development site will lend itself to being enclosed and concealed. The development covers an extraordinary large part of the site to render any attempt at landscaping ineffective particularly with the proximity of the site to the Colnbrook By Pass. Additionally the overhead gantry cranes at 25 metres high will be visible from miles around.

The claim that the existing bridleways and footpaths will be made more desirable for the public is debatable. Those that are parallel to the M4 are already extremely noisy, the bridleway adjacent to Perry Oaks is foul smelling. Goodman will get rid of the meadow areas and walk around Old Slade Lake which makes an attractive and popular open space. The enhanced areas will be noisy, polluted and inaccessible due to no parking for private cars.

Air Quality

Goodman offer no justification for its claim that improvements to Junction 5 of the M4 or Suttin Road will offset the impacts of such a large increase in HGVs in the area. SIFE will worsen air quality in the 2 AQMA in the borough where residential properties are exposed to nitrogen dioxide emissions above the UK 2005 limit. Any improvements in traffic queuing in the area through junction improvement will be negated by the two additional junctions and signals to be installed on the Colnbrook By Pass.

Congestion

The by-pass experiences frequent queuing traffic. the Council has been unable to regularise the breaches of companies such as MCardles whose fleet of 20 or 30 HGV join the by-pass at exactly at 7am each morning or Tanhouse Farm who bring the by-pass to a standstill whenever they attempt to manoeuvre a 62' trailer from an illegal yard.

The offer to contribute towards a license plate recognition system is hardly a

generous one and covering the full cost not just for HGV but for private through traffic should be a condition as should policing such a system. While through access from the by-pass to the village via Mill Street is allowed any traffic regulation orders will remain ineffective.

Noise pollution

Slough already falls within the 57 DBS LEQ noise contour which is above the World health Organisation's guidelines for outdoor noise level. Any new development should therefore be required to have an overall mitigation of noise.

Goodman overlook the fact that there are a number of residential properties that will be impacted with noise disturbance From SIFE, preferring instead to stress only the commercial properties. These include properties at the top end of Mill Street, Kings Oak, St Thomas Walk and Vicarage Way. Given the prospect of the widening of the A4 on both sides- which would entail the loss of the A4 Colnbrook By Pass should be a condition, and put in place prior to the start of construction.

Adding rumbling trains in And out of the yards will just add to the noise pollution in conjunction with the vast increase in lorry movements. Being a resident of Vicarage Way the noise implications are going to be quite horrific and presumably the ambient light form the lighting towers etc.

The residents of Colnbrook have suffered time and time again at the hand of the business and councils colluding to deteriorate the air, noise, wildlife, views and traffic, surroundings and quality of life all in the name of greedy corporations and the erosion of the green belt. It is time that the various council bodies and publically elected official stood up for Colnbrook and prevent such an abhorrent proposal as Colnbrook residents may be as well as living on a trading estate opposed to a quite rural village it was before all these planning permissions were granted eroding village life.

Lorry Parking

Goodman claim that the provision of facilities for short and long term lorry parking will avoid parking on roads in industrial estates and surrounding routes. However it has to be pointed out that HGV drivers ignore facilities currently available in Colnbrook. The Riverside Transport café opposite the planned main entrance to SIFE has been at 75% capacity only once in the last 12 months despite offering toilets, showers, meals and overnight parking at £7 a night. On any day of the week every lay by along the bypass will be fully occupied, along with many trucks packed up dangerously on roads throughout the area. Foreign distribution companies such as Jan de Rijk are well known to Colnbrook and Poyle but choose to park on lay bys and verges rather than have their own base. It is not for lack of suitable sites in the current climate. Goodman do not indicate if SIFE will offer its facilities free to lorry drivers, but this must be a condition (and taken account in the business case) if not to impose a bigger burden on Colnbrook.

Given that the project is not in accordance with the Development Plan and the footprint of the site is more than part of the existing village of Colnbrook. I would

suggest that this would be an excellent opportunity to exercise the Government localism agenda. SIFE has positive and negative points but clearly Goodman's attempt to give the impression that the local community is on board with its plans should be subject to a local referendum.

The proposal will complete the transformation of the village from semi-rural to urban with industrial parks, gravel extraction, landfill and logistics centres on all sides of the village. It's only fair that a proper consultation is undertaken with residents and other stakeholders.

6.28 National Grid

No objection to the proposal.

National Grid apparatus directly crosses the area. As such they require the contractor to contact national grid prior to construction to ensure apparatus is not affected.

Works to identify and avoid any gas pipes on the area will be required. These include high or intermediate and medium or low pressure gas distribution apparatus.

Before carrying out any excavation, trial holes must be dug to find the exact position of gas pipes, using recognised and agreed safe hand digging techniques. Reference should be made to the HSE Guidance Note HSG47 - 'Avoiding Danger from Underground Services'

It is essential that NO works or crossings of our High or Intermediate Pressure pipelines are carried out until detailed consultation has taken place and excavation of all trial holes in the vicinity of High or Intermediate Pressure pipelines are supervised by a National Grid responsible person.

It is essential that no mechanical excavations take place above or within 0.5 m of Low and Medium pressure systems. You should where required confirm the position of mains using Hand Dug Trial Holes.

6.29 Natural England

These comments relate to the Addendum EIA and Landscape and Green Infrastructure Strategy 2011, are in addition to our comments supplied in our letter dated 10 December 2010.

Colnbrook North Lake (Old Slade Lake WHS)

Natural England welcomes the submitted Landscape and Green Infrastructure Strategy 2011, which proposes new marginal vegetation as a continuous belt across this northern bank, which will aide habitat diversity and "*provide a more diverse forage resource*" (12.135, ES Ecology section). Whilst Natural England notes the inclusion of marginal planting along the northern bank, dominated by common reed, we would expect to see any re-profiling of the northern bank to

provide enhanced and extensive compensatory shallows as habitat for the wintering SPA species. It is Natural England's advice that the bank should still be steep, to avoid attracting Canada geese and to minimise bird-strike risk, but with extensive shallows (up to 1m deep) for emergent vegetation and feeding areas for *Gadwall* and *Shoveler*. This should be secured by the LPA through an appropriately worded condition or a Section 106 agreement prepared to secure its delivery, with the final design to be approved by Natural England/BBOWT.

In addition, Natural England questions the necessity of the proposed boardwalk along the northern lake boundary, as detailed in Action Area 5 of the Landscape and Green Infrastructure Strategy (LGIS), especially if there is no current or limited access. Whilst it has little relevance with the aims and objectives for Action Area 5, should access already be permitted or deemed essential then we agree with the recommendation of the RSPB, in letter dated 25 November 2010, that any access along the north bank "*is located behind new planting, to reduce disturbance to birds using the lake*", and not prominently featured as detailed in the LGIS. Concerns regarding this are also noted by BBOWT in letter dated 30th November 2010 (section 1; para b *iv*). Similar consideration should therefore be given to other areas adjacent to the Old Slade Lake WHS Waterbodies, including Orlitts Lake, where recreational enhancements may be proposed and where greater numbers of SPA bird populations have been recorded.

Old Wood

Natural England welcomes the buffering of, and management proposals for, Old Wood, as detailed in Action Area 6 of the LGIS, along with the proposed increased boundary improvements, acting as screening and softening around the site. We note that plans for Old Wood include the creation of a surfaced path through the wood, which will include some clearance work. While Natural England welcomes access works to facilitate the enjoyment of biodiversity, we would also direct you to our standing advice on Ancient Woodland, which can be found here: http://www.naturalengland.org.uk/regions/south_east/ourwork/standingadvice/ancientwoodland/default.aspx

Ancient woodland is an irreplaceable resource of great importance for its wildlife, its history and the contribution it makes to our diverse landscapes. Local authorities have a vital role in ensuring its conservation, in particular through the planning system. Ancient woodland can be damaged by the loss of extent, and also by erosion, littering and dog fouling. The LPA should take steps to ensure that Old Wood is adequately protected in the context of this planning application.

Protected Species

Natural England welcomes the submission of the additional ecological assessment and associated appendices with this application. It is noted that only one bat emergence survey was carried out on trees which had been assessed for their suitability for bat roosting. However, all trees had been assessed as low or moderate potential.

The bat survey information and mitigation measures that have been proposed are acceptable. Based upon the information provided Natural England does not wish

to object to the proposal providing suitable conditions are attached which secures the proposed precautions as it would seem unlikely that bats would be adversely affected by the impacts of the development.

In addition to the above conditions, the following should be attached as a condition or number of conditions:

A further bat survey should be carried out by a suitably qualified experienced ecologist prior to removal of any of the trees listed for removal in the Addendum EIA. If bats are found to be roosting in any of the trees, further advice should be sought from the ecologist as to the next steps to take, and their advice should be followed.

Natural England advises that the following text could be used in an advisory note to be attached to permission, should the council be minded to grant it;

A European Protected Species Licence must be obtained from Natural England prior to the commencement of development works on site that may affect bats. Advice should be sought from the ecologist who undertook the survey of the site. The grant of planning permission does not absolve the applicant from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of ODPM Circular 06/2005.

Biodiversity Enhancement

This development has many opportunities to incorporate features into the design which are beneficial to wildlife such as those described in paragraph 12.148 of the ES and the use of native species in the landscape planting, for example. The Council should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 14 of PPS9. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Section 40(3) of the same Act also states that “conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat”.

Natural England would advise that any landscaping/planting schemes use native species of local provenance and that existing wildlife habitat and corridors are retained. Natural England agrees to the final species selection being agreed with the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), in reference to paragraph's 12.134-12.136 of the ES. Additional information about what plants to use can be found from this web site: <http://www.nhm.ac.uk/nature-online/life/plants-fungi/postcode-plants/index.html>

Subject to the inclusion of the above condition(s) and the proposals being carried

out in strict accordance with the terms of the application and the submitted plans, Natural England has no objections to this proposal at present. Should there be any modification or amendment to the application, however, which may affect the SSSIs or European sites, Natural England must be consulted further.

Their previous response was as follows:

- 1 Impacts on the South West London Waterbodies SPA : BBOWT considers the Colnbrook Gravel Pit Complex to be an important resource for the SPA birds as the maximum counts of Gadwall and Shoveler over the four winter seasons of surveying demonstrate that a significant number of birds continue to use this complex at certain times of the season. Indeed, the fifth highest numbers of Gadwall were recorded on this complex out of the 67 sites, including those comprising the SPA, that were studied in Brian Brigg's three year doctoral research¹⁶. This research indicates that food resources and disturbance levels change significantly between years and even over a single winter. Both Gadwall and Shoveler change their site preferences in response to these environmental changes and move to preferential sites. It is not sufficient to protect the SPA sites alone without regard to the populations of Gadwall and Shoveler on other waterbodies in the vicinity.

Taking into account the proposed development and, in particular, the lower maximum counts of Gadwall and Shoveler recorded on the Colnbrook North gravel pit which will suffer the greatest effects in terms of land take and disturbance, BBOWT considers that it is possible to conclude that there is no likely significant effect on the SPA but only where the following can be secured prior to grant of outline planning permission :

- e. A condition preventing construction works near the Colnbrook Gravel Pit Complex from being undertaken during the winter period;
- f. An enhancement plan for the re-profiling of the north bank of the Colnbrook North gravel pit should be agreed with Natural England prior to grant of outline planning permission and secured by condition. This should include:
 - vii. the exact compensation habitat to be provided along the northern bank and, specifically, extensive shallow areas to provide replacement foraging habitat for the SPA birds;
 - viii. measures to prevent silt from construction works being lost into the gravel pit;
 - ix. native tree and shrub planting on the re-profiled embankment and a programme of replacement for dead specimens;
 - x. preferably the removal of the proposed boardwalk and fishing platforms which, in our view, would bring further disturbance from people as a result of the increased access to the north bank. However, if access is essential, it should be properly screened with the new planting and not as stark as illustrated on the Landscape Strategy Plan and in the Landscape and Green Infrastructure Strategy;
- g. A condition requiring an ecological management plan (and any subsequent amendments) to be agreed with the Council prior to operation, to be implemented and to be regularly reviewed. This should, amongst others,

¹⁶ The use of waterbodies in South-West London by Gadwall and Shoveler; implications for nature conservation (2007).

set out:

- xi. a maximum speed limit for all trains operating along the sidings and a requirement that such trains should use appropriate lubricant to minimise noise that could disturb the SPA birds using the Colnbrook Gravel Pit Complex;
- xii. a five year monitoring plan to assess the wintering birds using the Colnbrook Gravel Pit Complex using the same methodology as employed in FPCR's SPA Species Survey Report (Appendix A12.8 of the ES) but also noting any disturbance events. Data from these surveys should feed back into the management plan and necessary actions implemented. This data should be made available to the Council, Natural England, BBOWT, the Thames Valley Environmental Record Centre and the RSPB;
- h. The Council must satisfy itself, taking into account advice from the Environment Agency, that there is no risk of contamination either from the proposed development or from disturbance of historic contamination from the on-site landfill entering the watercourses and the gravel pits. A Construction Environmental Management Plan (CEMP) must be agreed and secured by condition to provide the necessary protection.

In the event that this mitigation and compensation can be secured, in our view, the Council would not need to carry out an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010. Failure to secure this mitigation would mean that there remains a risk of a likely significant effect and an Appropriate Assessment would be necessary. In our view, it would not be possible to demonstrate no adverse effect on the integrity of the SPA without these measures in place.

Please note that this assessment is based on the information provided in the application including approximately 9 train movements per day. If this is to materially change, further assessment under the Habitats Regulations would be necessary.

- 5 Impacts on Breeding and Wintering Bird Populations within the Site: The breeding and wintering bird surveys demonstrate a significant assemblage of species that use the existing semi-improved grassland areas. We are disappointed to see that adverse impacts are expected for some red and amber listed species as a result of this development. Only small fragments of new meadow habitat are proposed as mitigation. According to the surveys, these mitigation areas are already used by breeding birds such as skylark and it is difficult to conclude how much extra capacity these areas can provide. We would encourage the developer to allocate greater areas as compensation habitat either on-site or by investigating potential adjacent sites. Use of green or brown roofs should be considered on the large units to offer habitat for invertebrates and possibly foraging areas for more disturbance tolerant bird species. Swift boxes could also be considered as a means of building-in beneficial biodiversity features within the development, a concept promoted by paragraph 14 of Planning Policy Statement 9 (PPS9).

¹⁷ See page 11 of the extant Standing Advice: http://www.naturalengland.org.uk/Images/ancientwoodland_tcm6-10267.pdf.
And pages 17-18 of the new consultation draft:
http://www.naturalengland.org.uk/Images/aw_consultation_full_guidance_tcm6-23523.pdf

- 6 Impacts on Old Wood Ancient Woodland: PPS9 highlights the importance of ancient woodlands which are irreplaceable and, as a result, planning permission should not typically be granted for development that would result in the loss or deterioration of ancient woodland (paragraph 10). In this case, it is not clear how close the new rail link will come to the ancient woodland. A 15 metre buffer zone should be maintained between the railway link and the existing ancient woodland to protect it from ground and root damage and disturbance. This buffer zone is specified in Natural England's extant Ancient Woodland Standing Advice and its new consultation draft¹⁷ and has been approved in recent appeal decisions as noted in the Standing Advice.

Any upgrades to footpaths within the woodland should be sensitive to the site and not formal in nature. The management plan for this area will need to address the issues of scrambler bikes, fly tipping (including of non native invasive plants) and recreational issues such as littering.

We welcome this ancient woodland being brought into active management with selected felling and coppicing and new planting to the south. The long term aim should be to restore it to Local Wildlife Site quality.

- 7 Other Comments: We welcome certain aspects of the scheme such as the proposed native tree and shrub planting to soften and screen the various boundaries of the site, the proposed wetland and marshland areas. The mitigation and compensation measures identified in the Environmental Statement should be secured by condition. Of particular importance is the need to secure an environmental management and monitoring plan to ensure the appropriate long term management and monitoring of the green areas. This should be secured by a Section 106 obligation with a specified sum allocated to ensure that funds are available in the long term.

The application site is within 5km of Wraysbury Reservoir Site of Special Scientific Interest (SSSI), Wraysbury No.1 Gravel Pit SSSI, Wraysbury & Hythe End Gravel Pits SSSI, Staines Moor SSSI and the South West Water Bodies Special Protection Area (SPA) and Ramsar site.

Natural England has no objection to the proposed development. This is subject to the following advice and avoidance measures included in the application being fully implemented.

Construction works that could disturb birds using the LWS will be scheduled to avoid the months of September to March to avoid any disturbances of annex 1 birds using the lakes

All trains operating along the sidings adjacent to Old Slade Lake will be lubricated with automatic flange lubricators using pure water or an appropriate, acceptable biodegradable surfactant and braking squeal further controlled through speed limiting

A Construction Environmental Management Plan (CEMP) will be implemented

on-site prior to the start of any works, this will include best practice working methods to ensure spillages don't occur and methods to prevent spread if they do occur.

Subject to the above avoidance measures being fully implemented , with appropriately worded conditions or a Section 106 agreement prepared to secure their delivery, it is our view that, either alone or in combination with other plans or projects, this proposal would not be likely to have a significant effect on the above site(s) and the permission may be granted under the terms of the Conservation of Habitats and Species Regulations 2010.

Environmental Assessment (Annex One Birds)

Natural England notes the inclusion of Goodman International Ltd's 'Information for the testing of likely significant effects of development at Slough International Freight Exchange (SIFE) on the Southwest London Waterbodies Special Protection Area' (Appendix 12.8)

Natural England would recommend as detailed above that the condition relating to construction works avoiding the wintering Shoveler populations.

Construction Environmental Management Plan (CEMP)

Natural England welcomes the planned preparation and submission of a Construction Environmental Management Plan (CEMP), to be agreed by Slough Borough Council (SBC), which will clearly set out the methods of managing environmental issues during the construction works. The Plan should be secured by an appropriately worded condition or a S106 agreement prior to any approval (see above). Natural England would especially require this document to fully address suitable avoidance procedures in terms of potential oil and petrol/diesel spills to the Waterbodies and surrounding habitats, identified as a possible minor to major adverse effect prior to mitigation, including such measures as the use of silt blankets along the length of the work area, for both the construction and operational phases.

Colnbrook North Lake (Old Slade Lake WHS)

Whilst Natural England accepts that the loss and subsequent reinstatement of the north bank of Old Slade Lake is unlikely to lead to a likely significant effect on the SPA species using non-SPA Waterbodies, this is subject to the conditioning of appropriate mitigation for this loss of a county level important and SPA species habitat, and the subsequent approval of an enhancement plan for the reinstatement works.

Natural England welcomes the submitted ecological report, as part of the Environmental Statement, which proposes new marginal vegetation as a continuous belt across this northern bank, which will aide habitat diversity and "*provide a more diverse forage resource*" (12.135, ES Ecology section). Whilst Natural England notes the inclusion of marginal planting along the northern bank, dominated by common reed, we would expect to see any re-profiling of the

northern bank to provide enhanced and extensive compensatory shallows as habitat for the wintering SPA species. It is Natural England's advice that the bank should still be steep, to avoid attracting Canada geese and to minimise bird-strike risk, but with extensive shallows (up to 1m deep) for emergent vegetation and feeding areas for *Gadwall* and *Shoveler*. This should be secured by the LPA through an appropriately worded condition or a Section 106 agreement prepared to secure its delivery, with the final design to be approved by Natural England/BBOWT.

In addition, Natural England questions the necessity of the proposed boardwalk along the northern lake boundary, as detailed in Action Area 5 of the Landscape and Green Infrastructure Strategy (LGIS), especially if there is no current or limited access. Whilst it has little relevance with the aims and objectives for Action Area 5, should access already be permitted or deemed essential then we agree with the recommendation of the RSPB, in letter dated 25 November 2010, that any access along the north bank "*is located behind new planting, to reduce disturbance to birds using the lake*", and not prominently featured as detailed in the LGIS. Concerns regarding this are also noted by BBOWT in letter dated 30th November 2010 (section 1; para b iv). Similar consideration should therefore be given to other areas adjacent to the Old Slade Lake WHS Waterbodies, including Orlitts Lake, where recreational enhancements may be proposed and where greater numbers of SPA bird populations have been recorded.

Landscape Assessment

Natural England welcomes the details submitted highlighting the measures to address the effect of the development on the wider landscape, along with the enhancement measures proposed as buffers and ecological enhancements around the site. In addition, Natural England broadly welcomes the submission of the Landscape and Green Infrastructure Strategy (LGIS) (Appendix 11.1) and the applicant's proposal to "*positively support and contribute towards the aims and objectives of the relevant plans e.g. CVRP Action Plan, ROWIP and Buckinghamshire Green Infrastructure Strategy*" (para 11.18: Landscape and Visual Assessment).

The Assessment Site lies within a broad landscape context defined as the Thames Valley Landscape Character Area (LCA). Natural England would expect the LPA to consider the effects of this development on this LCA. A fundamental part of sustainable development is the need to incorporate landscape considerations into decision-making and LCA is a powerful tool which can make significant contributions to achievement of sustainable development objectives. This fact is recognised in the Government's Rural White Paper as well as PPSs 1 and 7 and PPG15, all of which endorse the use of LCA as a way of informing planning decisions.

Green Infrastructure

Natural England notes the connectivity of the site to the wider landscape, including north and beyond the M4 into Buckinghamshire, and south towards

The Queen Mother and Wraysbury Reservoirs. We also welcome the wider consideration of Green Infrastructure (GI) outside of the site boundary and would encourage continued discussions with the Colne Valley Partnership, Buckinghamshire CC and other parties to assist and facilitate wider Green Infrastructure opportunities.

Natural England welcomes the buffering of, and management proposals for, Old Wood, as detailed in Action Area 6 of the LGIS, along with the proposed increased boundary improvements, acting as screening and softening around the site. Natural England further support the connectivity of habitat surrounding the site, and would expect this to be fully considered in line with wider landscape strategies, including the Buckinghamshire CC Green Infrastructure Strategy (2009) that proposes habitat restoration, creation and management that enhances the distinctiveness and character of the Colne Valley.

Natural England would recommend that the LPA considers Green Infrastructure prior to their determination of this application. Most notably:

- PPS1, in respect of the protection and enhancement of the natural environment, character of the countryside, and existing communities;
- links to green networks or urban fringe areas should be assessed to help promote the creation of a wider green infrastructure. To this end, relevant green infrastructure strategies put in place by local authorities should be incorporated where appropriate.

Natural England views the incorporation of Green Infrastructure (GI), at a local and sub-regional level, as a 'multifunctional resource capable of delivering those ecological services and quality of life benefits required by the communities it serves and needed to underpin sustainability. Its design and management should also respect and enhance the character and distinctiveness of an area with regard to habitats and landscape types'. Green Infrastructure should further 'thread through and surround the built environment and connect the urban area to its wider rural hinterland'.

Networks of multi-functional greenspace providing a wide range of environmental and quality of life benefits should be designed into all new regeneration schemes from their outset. Green roofs, for example, offer a number of environmental benefits including improving air quality and reducing the risk of flooding by absorbing the worst of the weather. In ecological terms, a green roof is one that supports a community of plants and their associated wildlife. These can make a contribution to green infrastructure provision as part of a comprehensive strategy.

Biodiversity Enhancement

This development has many opportunities to incorporate features into the design which are beneficial to wildlife such as those described in paragraph 12.148 of the ES and the use of native species in the landscape planting, for example. The Council should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for

this application. This is in accordance with Paragraph 14 of PPS9. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that „*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*“. Section 40(3) of the same Act also states that „*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*“.

Natural England would advise that any landscaping/planting schemes use native species of local provenance and that existing wildlife habitat and corridors are retained. Natural England agrees to the final species selection being agreed with the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), in reference to paragraph's 12.134-12.136 of the ES. Additional information about what plants to use can be found from this web site:

<http://www.nhm.ac.uk/nature-online/life/plants-fungi/postcode-plants/index.html>

Natural England notes the presence of Japanese Knotweed in a number of locations across the site, as identified in paragraph 12.142 (ES). This will need to be treated according to Environment Agency approved guidelines.

Hedgerows Regulations 1997

Hedgerows are protected under The Hedgerow Regulations 1997. It is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Permission is required before removing hedges that are at least 20 metres in length, over 30 years old and containing certain species of plant.

The local planning authority will assess the importance of the hedgerow using criteria set out in the regulations. Hedgerows in areas covered by a Historic Landscape Characterisation are often protected on the basis of historic importance and their wildlife value. There are several exemptions which would allow hedgerow removal. Full details can be found at:

<http://www.opsi.gov.uk/si/si1997/> Statutory Instrument 1997 No. 1160, The Hedgerows Regulations 1997.

A summary of the law is contained in the Defra leaflet Hedgerow Regulations: Your Question Answered. More detailed guidance is contained in The Hedgerows Regulations 1997: A Guide to the Law and Good Practice.

Hydrology

Natural England supports the inclusion of a SuDS scheme as a means to improving the ecological value of the site and primarily addressing surface water runoff, flood risk and drainage concerns due to the increase in impermeable hard standing as a result of the development. We would advise that all schemes and works related to the hydrology of the site are conducted in accordance with Environment Agency advice, guidelines and best practice.

Protected Species

Natural England welcomes the submission of the ecological assessment and associated appendices with this application.

The survey information and mitigation measures that have been proposed are acceptable. Based upon the information provided Natural England does not wish to object to the proposal providing suitable conditions are attached which secures the proposed mitigation as it would seem unlikely that protected species would be adversely affected by the impacts of the development.

In addition to the above conditions, the following should be attached as a condition or number of conditions:

- The reptile translocation is carried out as described in paragraph 12.147 of the ES, and in the reptile survey;
- In order to avoid disturbance to breeding birds all vegetation will be removed prior to the breeding season. If this is not feasible and vegetation needs to be removed during the breeding season (March to September), vegetation to be removed will be checked by an experienced ecologist for the presence of active nests. If nests are found then the area of vegetation will need to be retained and buffered by further retention of vegetation until all birds have fledged;

Other recommendations in paragraphs 12.143 – 12.146 may also be considered for inclusion as conditions. Where habitats are created as mitigation or enhancement for a development, these habitats should be subject to long term management and monitoring to ensure that the populations of species affected are conserved, and wherever possible enhanced. Therefore Natural England recommends that a management plan and monitoring programme should be produced for all habitats and species affected by this application and recommends that should the Council be minded to grant permission for this application, such a strategy is secured from the applicant through an appropriately worded condition. In addition, funding should be secured for the implementation of the management plan in perpetuity and we recommend that a Section 106 agreement is the most appropriate means of securing this.

As you are hopefully aware, Natural England has recently issued a consultation draft of our updated protected species standing advice. Natural England in London and the Southeast Region will shortly be withdrawing from offering case specific advice to Local Planning Authorities where a development may impact upon a protected species and the Council will need to refer to the guidance contained within our standing advice. The draft advice can be found at: http://www.naturalengland.org.uk/regions/south_east/ourwork/standingadvice/protectedspecies/standingadviceconsultation/default.aspx

We would recommend that for current applications, you refer to the standing advice to see if it provides you with sufficient guidance and confidence in

assessing the impacts associated with the development upon protected species.

Subject to the inclusion of the above condition(s) and the proposals being carried out in strict accordance with the terms of the application and the submitted plans, Natural England has no objections to this proposal at present. Should there be any modification or amendment to the application, however, which may affect the SSSIs or European sites, Natural England must be consulted further.

6.30 Network Rail

In relation to the above application I can confirm that Network Rail supports the principle of this application and below are the comments supplied by Network Rail's Route Director.

"It is the aim of Network Rail, in accordance with those of Central Government and the Department for Transport as set out in the White Paper 'Delivering a Sustainable Railway', 2007, to promote, encourage and accommodate the growth in the transportation of freight by rail since it is recognised (within the White Paper) the important contribution that freight services (by rail) makes to the Government's economic, social and environmental goals.

Network Rail's Freight Route Utilisation Strategy (March 2007) sets out a detailed analysis of freight issues, requirements and proposals for accommodating growth. The development schemes identified in this strategy, including this proposed Intermodal Freight Terminal, are considered to contribute to a Strategic Freight Network.

Network Rail are committed to working with independent parties such as Goodman to grow freight transport on our railway network. We have previously been involved in a series of discussions with Goodman regarding the S.I.F.E. proposals in order to understand their requirements as clients and to evaluate how this proposed freight terminal could fit on the U.K. railway network, in particular how it will operate in reference to the Colnbrook branch line and the Great Western Main Line (GWML) and how it will affect other future railway projects.

The S.I.F.E proposals fulfil a number of the criteria for a successful rail freight interchange to enable rail to supply new markets. The proposals would have the opportunity to enhance the performance and capacity of the network and will likely result in the enhancement of the railway infrastructure. It will also be able to co-exist with other railway projects including Crossrail.

Upon the review of the development proposals to date, Network Rail are satisfied that the proposals developed for the rail connections between S.I.F.E. and the U.K. rail network are technically feasible and will comply with relevant engineering standards.

The proposed development would contribute towards sustainable economic development in accordance with PPS 1 – Delivering Sustainable Development. The proposals would deliver significant environmental benefits, including the

reduction in the number of lorries on the road network, reduction in road congestion and the reduction in the emission of greenhouse gases of which would help to mitigate the effects of climate change; and social benefits, including the protection and enhancement of the vitality of the local economy, local employment opportunities and the overall enhancement of quality of life in Slough and other nearby settlements. In addition, the proposals would encourage a more sustainable pattern for the transportation of freight by rail, in accordance with PPG 13 – Transport.

6.31 Rambler's Association

The Rambler's Association made the following representations on the Environmental Statement addendum (ES).

Looking at the plans it would seem that, from a walker's point of view, there is plenty of careful consideration to the proposed alterations to PROW. And, provided that the final execution of the plans doesn't vary from the apparent intention shown in July 2011, I wouldn't raise any objection.

Just a small point of detail, which may already be covered somewhere in all those words and pictures, but I didn't see it: the existing footpath alongside the Colne and parallel to the bridle path was obviously being used by horse riders when I visited earlier in the year. This made it unpleasant as a pedestrian route due to the damage caused by hooves. Could the future works include some sort of effective barrier to horses, so that the footpath can be used only by pedestrians?

Their previous response was as follows:

I visited the site 9th December 2010 and walked all the existing paths that will be affected. Also I was able to ask opinions of two dog-walkers in that vicinity.

It seems that although a fine path across the field (Bridleway 2A) will be lost, this path is not much used as a route to go between the A4 and the M4 sides of the field. The greatest loss will be the field as a whole, and this will be a shame. It is obviously used for recreation now, even if such recreation does not have legal standing. Dog walkers and others need not limit themselves to the path, which is why there is no obvious track made by feet or hooves. Along the north side of this bridleway, alongside the M4, there is much evidence of use, indicating that a lot of people do visit the field.

Footpath 2B seems to be very little used and indistinct. Even at the gate near the join with 2A there is not much wear.

Bridleway 2 is obviously much used, not only by pedestrians but also by vehicles needing access.

Bridleway 6 together with footpath 6A form an essential part of the Colne Valley Path. The footpath section (6A), running alongside the Colne Brook, seems to be much used by horses and they have made the surface difficult for

pedestrian traffic.

Looking at the proposals I would expect that the improvements shown on the plans will indeed be improvements. It is not clear whether there will be a better pedestrian connection between east and west alongside the A4. I think such a connection would enhance the area for the benefit of walkers - making a comfortable circular walk possible without needing to walk along the grass verge next to speeding traffic.

In summary, I have no objections to the affects on the existing rights of way provided that the promised alterations and improvements are delivered.

6.32 Richings Park Residents Association

Richings Park Residents' Association made the following representation on the Environmental Statement addendum (ES).

It is clear from these latest documents that some residents in Richings Park will be considerably affected by the proposed SIFE application in terms of air pollution, noise, dust light pollution and possibly odour and yet there has been no consultation of Richings Park residents, no public exhibition or contact number to help explain the content of the vast numbers of highly technical documents and the impact they will have on local residents.

There was no consultation of local residents in Richings in the form of a public exhibition here that would explain the issues in layman's terms. I understand that there was such an exhibition for the residents of Colnbrook but we were not informed or aware of this until after the event. Residents here feel that their concerns are simply being ignored.

The Parish Council have not been consulted either. So much for the statement by the Company that they intend to develop community liaison and act as a good neighbour.

In the LGIS it states that "During the course of the planning and design of the development proposals and the LGIS, there has been a lot of discussion and consultation with various environmental bodies and organisations. This involvement has not only enabled a thorough appreciation of the existing conditions of the site and surroundings to be gained but has also focussed on ways and measures of mitigating any potential adverse environmental effects arising from the built development and of maximising opportunities and benefits. Meetings on site and elsewhere with these groups and organisations have considered various environmental issues and opportunities" As stated above there has been no consultation with the Richings Park Residents' Association to achieve any understanding of the considerations to the North in South Bucks.

The documents do not adequately set out the impact on Richings Park residents, these could be quite substantial as Richings Park is down wind on the prevailing wind from the SIFE site. It is therefore not possible to say whether the mitigation measures proposed will be adequate or not, but since they have not been

developed to cover this direction it seems likely that they will not. Light pollution and its mitigation does not seem to be covered in all these documents. This is essential given the 24 hour operation of the site.

Lower Old Slade lane is a private road. No mention is made of the impact the works to the motorway bridge will have on this road nor how access will be achieved to undertake the works. Residents need reassurance that any damage to the road will be repaired.

This development will effectively remove the green belt open space between London and Slough along the A4 corridor and place a block in the north/south corridor. Old Slade lake used to be a nature reserve before being dug for gravel and we have been promised by successive owners that it will be restored as that. There seems little hope of that now.

Their previous response was as follows:

As Chairman of the Richings Park Residents' Association I would like to register our objections to this development on our boundary.

It would appear that their claim to be a rail/road freight interchange is completely spurious and is being used as a lever to try to get planning permission. We have been in touch with Network Rail and Crossrail.

Apparently there are only 10 freight train slots a day on the Great Western mainline running through West Drayton. Most of these are already allocated so the maximum traffic on the branch line LIFE are proposing to use is 1 train per day. This is a single track dead end branch line and is already used by the oil depot at the very end, Thorney Mill Sidings and Bardons Aggregates, all of whom already have allocated freight slots. There are plans in to build a new Aggregates Industry plant off the Colnbrook Bypass which will want additional train slots in addition to the ones they will be taking from their existing site. Thorney Mill Sidings are looking to expand their activities and there is the new Powerday proposal at West Drayton which is also looking to use this branch line. Given that DB Schenker run the Network rail operations and they own the Thorney Mill Sidings and Powerday sites it seems likely that those sites will get a preference in allocation of slots, this being a commercial decision.

Also there is unlikely to be any expansion in available slots in the near future because of the tight Crossrail timetabling and the removal of the extended loop line beyond Iver from the plans. Given all this, it will not be possible for this development to utilise more than a couple of trains a week. Therefore most of the freight will have to come in and out by road, not rail. Thus the whole basis for locating it on this site goes away and it could just as easily be sited on the existing Poyle Industrial Site where there are plenty of vacant sites.

We have not been contacted at all by the developers of this proposal under their Community consultation, we have had no invitations to exhibitions or other events to allow us to see what is being proposed and express our views, which is a very disappointing oversight.

6.33 Royal Borough of Windsor and Maidenhead

The following response was received in response to the amendments to the Environmental Statement Addendum:

In relation to revisions to the traffic and transport mitigation measures, including refinements to the junction improvements that are proposed at the M4 Junction 5 in order to create smoother traffic flows; and amended night time vehicle routing arrangements, RBWM Highways comments remain the same as the addendum to the application does not address the issues raised by us.

In relation to revisions to the Landscape and Green Infrastructure Strategy (LGIS), including the provision of a bridleway loop around the Assessment Site (main site) and a bridleway crossing of the new railway sidings, RBWM supports the proposal for the footpath project related to the Queen Mother reservoir, in addition to other public rights of way proposals. The council also supports other suggested improvements including that proposed for the Arthur Jacob Nature Reserve although reference should be made 'to be agreed with RBWM' within the appendix schedule.

The initial response was as follows:

- 1 Employee traffic generation: The applicants quote targets for modal share among the employees in the development which seem to seriously underestimate the impact of their traffic. They set a target modal share of 65% for car drivers from day 1, with an aim of reducing this to 55% within five years of opening. Compare this with what has actually been achieved at nearby Heathrow Airport, which has incomparably better public transport access than anything this development will be able to offer (with direct rail and underground access and a wealth of direct bus services from every direction). In 1999 (when the levels of car ownership were significantly lower than they are today) 72% of Heathrow employees travelled to work by car. After a full decade of heavy investment in, and promotion of, non-car access to the airport, they had still only managed to reduce the car's share of workforce trips to 61.4% (Surface Access Strategy 2008-12).

The applicants for the SIFE scheme quote a range of travel plan measures to achieve their forecast modal shift. Whilst we would not discourage any of them, the fact that they find it necessary to include such things as umbrella loans and a visiting cycle mechanic, suggests that they are scratching around to find the elements of a plausible travel plan. We can see nothing in them capable of achieving anything like even the same level of modal shift as has been seen at Heathrow, far less to improve on it in half the time.

Our concerns are further reinforced by their table 6.1, which shows that the economically active population within the bus catchment of the site totals 52,016 (cycling and walking catchment populations are substantially lower than this). Given that SIFE is looking to employ some 3,000 staff (2,800 FTE) this represents over 17% of the total workforce within that catchment. We have severe doubts as to whether SIFE could attract anything like that much of the

catchment workforce and it leads us to conclude that they will have to look considerably further afield for their labour supply. The wider they cast their net, the less likely it is that people will travel to work in anything other than the private car.

We therefore suggest these employee traffic generation figures should be subject to the closest scrutiny.

- 2 HGV traffic: As you will know, the sections of the M4 and M25 adjoining this site are among the most heavily-used parts of the national motorway network. Despite the recent and costly upgrading of the M25, it and the M4 are frequently subject to serious congestion and delay. We question the whole principle of introducing an additional major generator of traffic at this point in the network. We are aware that the scheme has, quite rightly, made attempts to regulate access to and egress from this site through the provision of new accesses, and that there are traffic management measures in place in areas like Horton, aimed at regulating HGV movement. However, we consider that the new development is likely to significantly increase the likelihood of trips diverting onto local roads within the Royal Borough as a means of avoiding congestion, and are concerned that existing enforcement measures will be inadequate to deal with them. If the development goes ahead, we would argue that it should include not just routing agreements but also that “hard” enforcement measures, such as automated weight enforcement cameras, should be installed to protect the amenity of residents in those parts of the Royal Borough likely to be affected. The RBWM Highways Development Control Team Leader would be happy to discuss the detail of such measures with you.

Traffic management generally: The application is accompanied by a freight management plan, designed to manage the impact of road-based freight traffic from the site on the surrounding network. What we are not clear about are:

- b. what effective measures would be open to the local planning authority to monitor compliance with the plan and enforce against non-compliance, or
- c. what sanctions the developer could employ against a non-compliant company within their site.

If the scheme goes ahead, we suggest that it must be accompanied by a robust management plan that can be monitored and enforced effectively

Capacity of the rail network: Whilst we have not commissioned any specialist studies of the rail network, we hope that the applicant’s assumptions about its ability to cope with the additional traffic will be critically examined. We have concerns about the capacity of the part of the network between Reading and Paddington, which is going to be subject to a number of additional pressures over the coming years:

- a. As the Great Western Route Utilisation Strategy (RUS) (March 2010) points out:

The GWML is currently the second busiest freight corridor into London. This is expected to increase substantially with the levels of predicted growth, particularly for aggregates traffic, required for the construction of the Olympic infrastructure and Crossrail.

- b. Furthermore, there will be an additional capacity taken up by Crossrail in operation and the impact of High Speed Rail 2 slightly further in towards London. As you will know better than us, there is a lobby to introduce western

access into Heathrow from the GWML and finally there is the proposal for the electrification of this main line, which should improve the service along it and again generate additional travel demand.

c. As the RUS says (para 3.5.4):

Between Reading and London Paddington the route is operating at or near capacity for large parts of the day with a Capacity Utilisation Index of about 80%, increasing in the peak and shoulder peak periods.

We hope that you will ensure that the combined impacts of these developments, along with the forecasts of traffic to be generated by the scheme itself, have been fully taken into account.

3 Green Belt: Berkshire is the most urbanised of the South East shires and its eastern end, in particular, is heavily built-up. It is also probably the most economically buoyant of the corridors leading out of London. The consequences of this are:

a. that this part of the Green Belt is already particularly fragmented and

b. it is under greater development pressure than almost any other part of the Metropolitan Green Belt.

In our submission, this should mean that any proposal to develop in this part of the Green Belt should be subject to particularly close scrutiny to justify very special circumstances. This scheme involves a particularly large incursion into Green Belt and, whilst the direct impact will be felt within your Borough, our concern is that it could be used as an important justification for further Green Belt development, including within neighbouring parts of the Green Belt within the Royal Borough. We would hope that your decision on the application would reflect the long-standing commitment of our two authorities, not to mention that of successive national Governments, to upholding the principles of Green Belt.

4 Green Infrastructure: The Colne Valley Way recreational route runs through the application site and continues into the Royal Borough to the south of Colnbrook village. The proposed development would have a significant detrimental impact on the setting of the section of the Colne Valley Way in the immediate vicinity of the application site, which is close to the built up areas of Colnbrook and Brands Hill. In considering improvements that can be made to help compensate for the loss of the Green Belt and open space and impact on the Colne Valley Way / Park, there may be potential for providing compensatory facilities for walking in the area, for example by securing a footpath around the perimeter of the Queen Mother Reservoir (owned by Thames Water). Although the reservoir lies within the Royal Borough, it is close to the built up areas of Colnbrook and Brands Hill and could thus be seen as a mitigation site in the context of the proposed development. Likewise, we consider that compensation can also be gained through improvements to the Arthur Jacob Nature Reserve, Horton which is also very close to Colnbrook. Colnbrook will be linked to the reserve via a proposed new footpath, thus creating a recreational route to Horton along the Colnbrook. A whole range of improvements to the Reserve could be funded, including improvements to the entrance, installation of CCTV, more seats, tree planting, footpaths and signage improvements.

6.34 RSPB South England Regional Office

We have just considered the potential impacts on birds, and particularly the South West London Waterbodies Special Protection Area (the SPA).

The application site is 1.75km from the SPA. However, birds for which the SPA is designated (gadwall and shoveler) regularly use a number of waterbodies outside the SPA, as demonstrated by DPhil work by Brian Briggs¹. The non-SPA waterbodies that regularly support significant numbers of gadwall and shoveler can be regarded as functionally linked to, and contributing to the integrity of, the SPA. Therefore, applications that are likely to have a significant effect on these non-SPA waterbodies should be assessed under the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations).

Section 12.121 of the Environmental Statement (ES) states that up to 84 shoveler and 50 gadwall have been recorded using the waterbodies adjacent to the application site. Whilst the ES defines this as being of county importance, these birds form part of the internationally important population of the SPA. Despite the main ES downplaying the importance of the adjacent waterbodies, the RSPB welcomes the fact that the applicants have provided information in a technical appendix to enable an assessment of likely significant effects on the SPA (Appendix 12.8).

Minimising the impacts on the SPA

- The RSPB does not disagree with the applicant's conclusion that, with mitigation, the proposal is not likely to have a significant effect on the SPA. However, if the Council is minded to grant permission, the RSPB considers that the following measures should be secured by planning conditions, or other appropriate mechanisms, to avoid adverse effects on the SPA:
- The ES states that the northern bank of Old Slade Lake will be reinstated incorporating a shallow berm, reedbed planting, and tree and scrub planting on the top of the bank (paragraph 12.135-6). The RSPB supports this as mitigation but recommends that any access along the north bank is located behind the new planting, to reduce disturbance to birds using the lake.
- The ES states (paragraph 12.123) that significant quantities of silt will be produced by works to the north bank of Old Slade Lake, and that this could have significant effects on invertebrates, fish and macrophytes. Additionally, this could have repercussions for gadwall and shoveler through impacts on feeding opportunities. Therefore, the mitigation proposed, comprising use of silt blankets and a monitoring programme, is necessary to avoid an adverse impact on the SPA.
- Similarly, the Construction Environment Management Plan (CEMP) should be suitably drafted to minimise the risk of pollution to waterbodies.
- The RSPB is concerned about disturbance to gadwall and shoveler during

both construction and operation. The applicants suggest that construction disturbance can be avoided by timing works outside the months of October to March (Appendix 12.9, section 4.2). The RSPB recommends extending this period from September to March, because work by Brian Briggs notes that shoveler numbers peak in the autumn and gadwall numbers peak in mid-winter, with different sites being important at different times of the winter.

- The RSPB welcomes the noise survey work undertaken by the applicant and presented at appendix 3 of technical appendix 12.8. However, it would have been helpful to have included a map showing the baseline noise survey locations. It appears that baseline surveys were taken at Orlitts lake, but Old Slade Lake is nearest to the rail spur and the source of operational noise. Additionally, the choice of surveys locations should have reflected the current distribution of gadwall and shoveler within the adjacent waterbodies.
- The mitigation proposed for operation noise is speed limits and use of water to limit brake squeal. These actions are welcomed but the RSPB questions how they can be enforced to ensure effects on the SPA are minimised.

The RSPB does not object to the application, provided action is taken as recommended above, to minimise impacts on the SPA. The RSPB also recommends a programme of monitoring is put in place for 5 years, to assess the efficacy of the mitigation measures. If monitoring shows there are residual impacts, this should be fed back into the management plan for the development and further mitigation measures introduced.

6.35 **Slough Borough Council, Air quality impacts Officer.**

The air quality assessment submitted as part of the EIA for the SIFE application covers existing and predicted levels (with and without the development) for nitrogen dioxide and particulate matter (PM10 and PM2.5), the main pollutants from road traffic. The conclusions have focused on the annual mean nitrogen dioxide as this is the pollutant of critical interest with regard to the Air Quality Management Areas in the vicinity of the site, and particularly at Brands Hill and London Road. Particulate matter concentrations are below the air quality objectives and EU limit values with and without the development.

The EIA estimates that the impact on local air quality with the scheme will result in, at worst, a 'minor adverse' impact and is mainly due to the existing high levels of nitrogen dioxide resulting in less than a 5% overall increase in concentrations with the development. This has been based upon the accepted EPUK criteria but has been incorrectly applied.

Two Air Quality Management Areas (AQMAs) were declared in 2005 for exceedence of the annual mean objective for nitrogen dioxide. They are both in the vicinity of the proposed development and are also the residential areas most affected by the scheme. It is estimated that 1286 people live within the M4 AQMA exceedence area and 120 people within the Brands Hill AQMA exceedence area. This number could increase with

the proposed development but cannot be estimated at present as the graphic information provided with the application does not show enough detail. The existing nitrogen dioxide levels are high and affect residential properties close to the proposed development. A development of this size will therefore increase the degree of exposure for these residents to poor air quality. Although nationally air quality is predicted to improve this scheme could also result in residents being exposed to levels above the air quality objective and EU limit values for an extended period of time.

The scheme will result in an estimated 2000 additional HGV movements per day through the Brands Hill AQMA and will also have an impact on residents close to the M4 motorway AQMA. The AQMA at Brands Hill will be affected by increased emissions from traffic queuing and congestion in an area very close to residential properties. There are properties only 12 metres from the road edge, and 25 metres from the edge of the motorway.

The air quality objectives and limit values for nitrogen dioxide and the protection of human health that currently applying to the UK have different legal status and they are therefore handled in different ways within the framework of UK air quality policy. The UK air quality objective for the purpose of local air quality management and the EU Limit Value transcribed into UK legislation are both 40ug/m³ for nitrogen dioxide. Whilst local authorities are not under a legal duty to achieve the objectives, they must carry out an air quality assessment, declare an AQMA if objectives are not met, and prepare action plans to pursue improvements. The EU Directive is legally binding and requires Member States to identify zones and agglomerations where either the target values or long term objectives are unlikely to be met within the specified period, and draw up action plans or programmes in accordance with the Directive.

Slough has been identified as being part of the South East Zone where the EU Limit Values are not being met for nitrogen dioxide. The local authorities that are close to the SIFE site and the Heathrow region of West London are included. In accordance with Council Directive 2008/50/EC on ambient air quality and cleaner air for Europe, Defra is preparing updated air quality plans to support the UK Government's notification to the European Commission to secure the additional time under the Directive (until 2015) to meet the limit values for nitrogen dioxide (NO₂) for UK zones/agglomerations. This is necessary in light of projected exceedences of the limit value(s) in parts of nearly all UK zones/agglomerations.

Monitored results of nitrogen dioxide in the AQMA at Brands Hill show that the concentrations in this area (50ug/m³) are well above the health based air quality objective and the air quality EU limit value of 40ug/m³. Long term monitoring data shows the concentrations are relatively stable and have not reduced in line with national predictions. There is therefore no evidence to show that there will be a downward trend over the coming years. In addition recent evidence of monitoring in urban areas has shown that diesel emissions of nitrogen oxides in particular are not reducing at the expected rate. Dispersions modelling carried out by Slough, Hillingdon, Hounslow and Spelthorne Council in 2011 shows that the area around Heathrow is predicted to exceed the annual nitrogen dioxide limit values for 2011 and 2015 along the motorways, some main roads and the busiest main junctions in the borough. It is also predicted to exceed the 99.79th percentiles of the hourly average concentrations.

In order to pursue improvements in air quality in the AQMAs the Council must prepare an Air Quality Action Plan setting out how the authority proposes to use the powers at its disposal in pursuance of the objectives. The increase in road traffic with the proposed scheme will add an estimated 2000 HGVs per day through the AQMA at Brands Hill and along the M4. The current measures are unlikely to be sufficient to address this additional large number of HGVs, there are limited options to reduce the impact, and the area is vulnerable to cumulative air quality effects from developments which increased road traffic.

The EIA details the wider benefits of the proposed scheme in terms of the reduction in emissions to air through the use of the intermodal freight component of the scheme, the benefits on a wider regional and national level, and measures to mitigate the impacts as far as possible. If there is no guarantee that the rail use component will be delivered, then the negative impact of the proposed scheme on the local air quality cannot be set against the benefits of a reduction in emissions nationally by removing HGV movements from the road network.

In summary, the EIA has concluded that the air quality impacts of the scheme are small and that efforts have been made to mitigate any negative local impacts. The methodology used to determine this, and the impact magnitude descriptor, does not accurately reflect the severity of the impact of the scheme, which will result in a substantial increase in the number of vehicles passing through two AQMAs, and could increase the number of residents affected by high levels of nitrogen dioxide that are above the EU limit value. Also without any guarantee of the rail use component the wider benefits will not be delivered.

6.36 Slough Borough Council, Contaminated Land Officer

The proposed development is located on an area of land which has previously been subject to landfilling activities (Tanhouse Farm Landfill). Significant intrusive investigations have been undertaken by the Applicant in preparation of this Environmental Statement.

The Environmental Statement contains sufficient information to assess contamination issues of the proposed development. However, the residents of properties in Colnbrook village (approximately 380 m distance from the development) have not been considered as potential receptors. No explanation is given as to why this receptor has been omitted. Minimal risks to human health receptors on-site (for a commercial land-use) have been identified.

The Environment Agency has already been consulted by the applicant regarding assessment of potential risks to controlled waters. Landfill gas monitoring is ongoing in at the site (12 occasions over 12 months). Information available to date suggests that the majority of the site will be classified as Characteristic Situation 3 and gas protection measures for proposed buildings on site will be required. Maximum methane recorded on site to date 84% v/v with maximum flow rates of up to 20 l/hr.

In order to develop the site for the proposed freight exchange a significant amount of earthworks are proposed. This will largely involve re-distribution of the existing

landfilled wastes. Where possible it is suggested that as much material as possible will remain on site, however some of this will be unsuitable from an engineering point of view and will need to be disposed of off-site. Significant quantities of suitable engineering materials are likely to need to be imported on to site for construction purposes. Opportunities to reclaim recyclable materials from the waste mass may also arise during the works.

No remediation is proposed as such. The applicant is proposing to implement a Construction Environmental Management Plan during these earthworks to minimise nuisance and remobilisation of contaminants that may arise. In addition to this a Pollution Prevention and Control permit, or registered waste exemption from such a permit is likely to be required by the Environment Agency for these works to be undertaken. The Environmental Statement also suggests that a Materials Management Plan may also be drawn up in accordance with current CLA:RE guidance. I would support the use of these management tools to reduce impacts and carefully manage this stage of the works. I would request that the applicant provides SBC opportunity to comment on and formally agree these documents prior to the works commencing on site, primarily in respect of controlling nuisance issues.

It is recommended that the Environment Agency is consulted regarding potential impacts on Controlled Waters. These will be complex for a development of this nature in this setting.

The significant earthworks proposed are likely to have a major impact on the existing landfill gas regime at the site. This could potentially persist for some length of time after completion of the development and significant mitigation measures may be required. This also has potential to affect existing developments in the vicinity of the site. It is not possible at this stage to fully identify the required mitigation measures, the applicant has made some proposals and suggests a period of post-construction monitoring will be carried out.

As such it is recommended that the following condition is placed on any subsequent planning condition.

Condition: -

The proposed development is situated on a former landfill site which has been shown to be producing potentially significant amounts of landfill gas. The substantial earthworks have the potential to significantly alter the landfill gas regime and mitigation measures are likely to be required on completion of the earthworks.

Details of the proposed mitigation measures to address risks from landfill gas shall be submitted and approved in writing by the Local Planning Authority. Where appropriate this scheme will include details of gas protection measures for site buildings and a post-construction landfill gas monitoring scheme.

Following completion of measures identified in the approved landfill gas mitigation scheme, a verification report that demonstrates the effectiveness of the agreed remediation scheme must be produced and submitted in writing and is subject to

the written approval of the Local Planning Authority. In the event that gas protection to buildings such as installation of protective membranes is required, all such measures shall be implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

Reason- To ensure that risks from landfill gas to the future users and occupants of the land and neighbouring land are minimised, and in order to safeguard the health and safety of future occupants/and or site users.

6.37 Slough Local Access Forum

Slough Access Forum opposes the proposed development. The overall environmental impact of the development has to be taken into account by members as it would affect the public's enjoyment of the public rights of way on the site.

Detrimental impact on the environment is in direct conflict with the remit of the Local Access Forum which is to advise relevant organisations on the improvement of public access to land in the area for the purpose of open air recreation and enjoyment.

Although there will be enhancements made to the surfaces of the paths and planting/fences erected to lessen the visual impact of the buildings, nothing could be done to mitigate against the noise or reduced air quality and the overall effect will be to remove the open countryside nature of the surroundings.

LAF would encourage improvements to the public rights of way network in conjunction with the aims and objectives of the Slough Borough Council Rights of Way Improvement Plan 2007-2017. The most relevant being objective 4B (ROWIP Statement of Action pg 38-40) "identify and improve routes that provide access to areas of countryside".

One of the recommended activities under the objective is to: develop a promoted circular horse trail and/or easy access route and/or cycle route of the bridleway lying north of the Colnbrook Bypass, at the Slough / Colne Valley Park crossover"

LAF recognise potential for improvements to these paths arising from the proposals they question the extent to which the changes would meet the present and likely future needs of the public. LAF would recommend that further investigation is done into the current usage of the routes in question.

The connection of public right of way across the site as part of the Colne Valley Park is judged as being vital to the integrity of the park and Slough itself, the loss of such an open area of countryside would be severe for local residents.

The significance of the proposed development site is stressed in Slough Borough Council Core Strategy where it is designated as a strategic gap.

6.38 South Bucks District Council

The South Bucks District Core Strategy was adopted on 22nd February 2011. Two of its strategic objectives are to mitigate the amenity impacts of HGV movements (particularly in and around Iver Village and Richings Park) and to address traffic congestion (including on the A355/A40 to the east of Beaconsfield). These strategic objectives are to be delivered through Core Policies and it is the view of this Council that the proposals for the SIFE would be contrary to the terms of these objectives and the relevant policies as the proposal would result increased use of the local highway network within South Bucks. In this regard the District Council is fully in support of the objection put forward by Transport for Buckinghamshire which relates to impact on the local highway network.

The proposal represents inappropriate development in the Green Belt which is contrary to Slough's Core Strategy CP2 and CP9 which seek to maintain the Green Belt and to protect the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park. It is noted that paragraph 2.29 of the Core Strategy specifically refers to application for rail/road freight facilities and states that such proposals 'would have to demonstrate that there was a national or regional need for such a development and very special circumstances sufficient to overcome Green Belt and other strategic planning objections.' It is evident that the proposal is a road to road freight facility for which very special circumstances sufficient to overcome Green Belt and other strategic planning objections have not been demonstrated.

South East Plan policy WCBV5 (The Colne Valley Park), which still forms part of the Development Plan and therefore is a material consideration, seeks to safeguard the Colne Valley Park from forms of inappropriate development, urbanisation and other uses which do not protect and enhance its character. The District Council considers that the proposal is contrary to the terms of this policy. Furthermore, the increased HGV and private motor vehicle movements in and around the Iver area will be damaging to the character and appearance of the CVP.

6.39 Spelthorne District Council

The Council resolved that they have no objections in principle to the scheme, but consider it should include measures to improve the links between the Spelthorne section of the Colne Valley Regional Park and that part of the Park north of the site.

The Ecology officer expressed the following concerns:

- 1 Ecology: I am concerned that there has been inadequate consideration given to the ecological impact of the scheme and that the Environmental Statement consistently undervalues the ecological importance of the site. There are several significant impacts which have not been adequately mitigated against or compensated for, such as the loss of UKBAP and BoCC red listed species habitats, and the loss of species-rich neutral grassland. PPS9 clearly states that if 'significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.'

Some of the mitigation proposed, such as reseeded to mitigate for the loss of species-rich neutral grassland, would cause a loss of genetic diversity. The principles of minimising the impact wherever possible, and then attempting to conserve the genetic diversity of the grassland to be lost through translocation, would be a preferred method. Although the risks and limitations of translocation are well known, it does at least conserve some of the genetic diversity of the current grassland.

I would also question whether the correct importance has been allocated to the various grassland habitats. Pepper Saxifrage is considered an indicator of unimproved grassland and should be conserved, and Salad Burnet is also significant.

Although the ES states that BAA have strict guidelines with regards to the creation of new habitat which could attract species that are a bird strike risk, in our experience, this can usually be accommodated through landscape design, and BAA are simply looking for no net increase in bird strike risk, so this wouldn't preclude mitigation proposals for species that are already using the site and would be displaced by the development.

The Airtrack scheme has not been included in the cumulative assessment of the current proposal. Given that the Airtrack scheme also involves the loss of species-rich grassland at Staines Moor SSSI, and impacts on breeding and overwintering wader habitat from dewatering during the construction of a tunnel into Terminal 5 at Heathrow, there would appear to be a cumulative impact which needs to be addressed through mitigation and/or the provision of compensation land.

Although Spelthorne BC is probably unable to offer any of its land for mitigation and/or compensation, there are several landowners in the local area which own land that could be used for mitigation, compensation, and enhancements.

Although relatively small, Thames Water own a parcel of land adjacent to the Staines Reservoirs which could be managed to provide habitat for UKBAP and BoCC red listed species impacted on by the proposal. BAA itself owns quite a lot of land around Heathrow which could be used for grassland habitat compensation, including a small nature reserve in Stanwell, and a much larger piece of land bisected by the T5 spur road, which would be ideal in terms of the extent needed.

- 2 Access: The proposal will significantly impact on the Colne Valley Way. We would support reinstating and extending this link as a part of the proposal.
- 3 Colne Valley Regional Park: The Colne Valley Regional Park will effectively be cut in two by the proposed scheme. A significant contribution to Park to continue to make it viable and linked into the southern area will be necessary. Spelthorne BC is concerned that we will be isolated and fragmented from the rest of the Colne Valley Park by the development, which will lead to significant disbenefits for us.

6.40 StopSIFE Campaign

The stopSIFE campaign would like to take the opportunity to formally object to the proposal. Aside from the obvious Green Belt and Strategic Gap issues around the proposals, stopSIFE would like to point out the following concerns on behalf of the

community

Traffic/ Congestion

The inclusion of two new accesses from the Colnbrook By Pass and traffic lights will dramatically slow down the by-pass

The proposal suggests that Slough Borough Council plans to widen the By-Pass to include a new bus lane on either side, but no firm plans for this work are started and in the current climate it must be assumed that this will not coincide with the construction of SIFE.

No other road widening schemes are described and junction improvements will only alleviate the key pressure points. Extra lanes to the by-pass must be a condition of any approval or existing users of this important artery for Slough will suffer a huge degradation.

The prediction of 3,230 new HGV movements fails to include additional car journeys of employees.

Employment

Whilst the large number of employment opportunities is welcome in the current climate. Goodman's claim for 3,000 new jobs is not justified in its application and needs to be broken down to be plausible. Goodman has stated that it will outsource the management of SIFE and expects to let out much of the distribution space to third parties who may simply transfer the operation from existing bases in the area. It is difficult to see what employment opportunities will be created and certain guarantees should be built into the proposal, perhaps requiring an certain percentage of the available warehousing to be pre let prior to construction

Despite the suggestion in the application to the contrary, the Slough area has traditionally been fortunate in experiencing low unemployment, in creating such a large number of particularly unskilled and semi skilled roles. SIFE would out local businesses already finding recruitment difficult at a severe disadvantage

The large number of new jobs created would also have an impact on wage levels, causing an inflationary impact at a time when local businesses can ill afford them

Services

In creating 3,000 new positions SIFE will no doubt attract some migration into Colnbrook and NEIGHBOURHOOD VILLAGES. As has been well publicised, housing and services in the Slough area is already under extreme pressure from the influx of Eastern Europeans in the last few years. The further threat to Green Belt to expand housing stock will be great.

Infrastructure

Goodman are open about not having considered impact on SBC's strategic aim of

supporting a direct rail link from Slough to Heathrow in its design for SIFE, OR ON MIGRATION FOR Heathrow AirTrack (for which plans are in public domain) which will also use the same line. These schemes, together with Crossrail, are very much in the interests of not just the local community and businesses, but neighbouring towns of Staines, Maidenhead, Windsor, Reading and beyond. They must not be jeopardised by SIFE, and further explanation from Goodman is required.

Lack of Community Consultation

The Goodman "Statement of Community Involvement" stated that "no direct objections has been received from local residents. During the village Hall event last year many criticisms of the scheme were passed on to the public relation team present- who were unable to answer any questions. Those of use who registered with "consultation website" to be kept informed were frustrated that it was not updated until after the application was submitted and then with no additional information

Goodman refused to engage with stopSIFE except for an email from Martin Scrambler, SIFE Project Manager to ask the campaign to change its name following a complaint from Slough International Freight & Packing Ltd about the similarity of the name.

Our website has received well over 5,000 hits and almost universal expressions of support.

Impact on open spaces

Goodman claims that the development site will lend itself to being enclosed and concealed. However, the development footprint covers an extraordinary large part of the site to render any attempt at landscaping ineffective particularly with the proximity of the site to Colnbrook By Pass. Additionally, the overhead gantry cranes at 25m metres high, will be visible from miles around, particularly given the site is much higher than the rest of Colnbrook.

The claim that the existing bridleways and footpaths will be made more desirable for the public are disingenuous: some of these- those that pass parallel to the M4- are already extremely noisy; the bridleway adjacent to Perry Oaks is foul smelling. Goodman will do away with the meadow areas and interrupted walk around Old Slade Lake that make this an attractive and popular open space. The enhanced areas will be noisy, polluted and inaccessible due to no parking for private cars.

Air Quality

The Government has failed to meet European minimum standards for air quality since 2005 and is expected to be heavily fined at the end of the year by the EU. BA claimed as part of its defence for the Third Runaway that 3 of the 8 sites around Heathrow where pollution was in breach of rules was caused by "fallout from London", blaming one on its proximity to the M4.

Goodman offer no justification for its claims that improvements to Junction 5 of the M4, or Sutton Road will offset the impact of such a large increase in HGVs in the area. SIFE will worsen air quality in the 2 AQMA (Air Quality Management Areas) in the borough where residential properties are exposed to nitrogen dioxide (NO₂) emissions above UK 2005 LIMIT. Any improvements in traffic queuing in the area through junction improvements will be negated by the two additional junctions and signals to be installed on the Colnbrook By- Pass.

Congestion

The by-pass experiences frequent queuing traffic particularly on Friday Evenings. The Council has been unable to regularise the breaches of companies such as McArdles-whose fleet of 20 or 30 HGV'S join the By-Pass at 7am each morning or Tanhouse Farm- who bring the by-pass to a standstill whenever they attempt to manoeuvre a 62' trailer from an illegal yard.

The offer to contribute towards a license plate recognition system for Colnbrook is hardly a generous one, and covering the full cost- not just for HGV but for private through traffic- should be a condition, as should policing such as system. Nevertheless, while through access from the by-pass to the village via Mill Street is allowed any traffic regulation orders will remain ineffective.

Noise Pollution

Slough already falls within the 57 dbA Leq noise contour which is above the World Health Organisation 's guidelines for outdoor noise levels. Any new development should therefore be required to have an overall mitigation of noise.

Goodman overlook the fact that there are a number of residential properties that will be impacted with noise disturbance from SIFE, preferring instead to stress only the commercial properties. These include properties at the top end of Mill Street; Kings Oak, St. Thomas ' walk and Vicarage Way. Given the prospect of the widening of the A4 on both sides- which would entail the loss of mature tree cover and headgrows- panelling along the southern side of the A4 Colnbrook By Pass should be a condition, and put in place prior to the start of construction.

Lorry Parking

Goodman claim that the provision of facilities for short and long term lorry parking will avoid parkign on roads in industrial estates and surrounding routes. However, it has to be pointed out that HGV drivers choose not to use the facilities currently available in Colnbrook. The Riverside Transport café opposite the planned main entrance to SIFE has been at 75% capacity only once in the last 12 months despite offering toilets, showerd, meals and overnight parkign at £7 a night.

On any day of the week every lay by along the bypass will be fully occupied, along with many trucks packed up dangerously on roads throughout the area. Foreign distribution companies such as Jan de Rijk are well known to Colnbrook and Poyle but choose to park on lay bys and verges rather than have their own base. It is not for lack of suitable sites in the current climate. Goodman do not indicate if SIFE

will offer its facilities free to lorry drivers, but this must be a condition (and taken account in the business case) if not to impose a bigger burden on Colnbrook.

Given that the project is not in accordance with the Development Plan and the footprint of the site is more than part of the existing village of Colnbrook. I would suggest that this would be an excellent opportunity to exercise the Government localism agenda. SIFE has positive and negative points but clearly Goodman's attempt to give the impression that the local community is on board with its plans should be subject to a local referendum.

The proposal will complete the transformation of the village from semi-rural to urban with industrial parks, gravel extraction, landfill and logistics centres on all sides of the village. It's only fair that a proper consultation is undertaken with residents and other stakeholders.

6.41 TFL (Transport for London)

No additional comments in response to the Environmental Statement addendum, those previously made remain.

The scale of the proposals in terms of employment numbers and potential heavy goods vehicles movements represent a major concern to TFL both in terms the roads we are directly responsible and wider impact.

We do not support measures to encourage rail as an alternative to road movements

The transport Assessment indicates potential improvements to the Moor Junction (A4/Stanwell Moor Road junction) which is part of the TLRN. These works need to be agreed between TFL and the developers prior to commencement on site

The works should be subject to agreement with TFL under section 278 under the Highways Act 1980. TFL may require an updated traffic model with up to date traffic data before we agree any changes to this junction and would need to accord with the latest tfl modelling guidelines.

TFL may take forward the TA proposals at this junction as describe in the TA or suggest an alternative approach or no change is necessary. Design itself should be subject to TFL streetscape guidance and may require upgrading carriageway/footway as part of the proposals.

Developer to supply all the necessary information to gain relevant approvals under the Traffic Management Act 2004 as well highway technical approvals Developer will be responsible for any costs arising from their works including design, construction, third party legal.

Suggest that either via Section 106 agreement or condition on a Travel Plan, Delivery and Service Plan to help minimise traffic generation etc. On other sites in London TFL has agreed caps on overall tonnage by road, daily HGV levels and peak HGV movement as well progressive targets for car use by workers on site

and proportion by rail freight. TFL recommends a similar approach should the proposal get planning approval.

6.42 Thames Valley Police, Local Policing Crime Prevention Design Advisor

At the present time I have some major concerns regarding the above proposal as to function (PPS.1, para 13, iv), which I have detailed below.

Whilst there is a short section within the DAS regarding security (page 63 of DAS), this is very brief and does not address how Crime Prevention (a material consideration in planning) will affect function of the site. There is the potential for the site to be a drain on Police resources.

1. Channel Tunnel: The DAS says about the proposed site receiving goods from Europe via rail through the Channel Tunnel and presumably exporting back through the Channel Tunnel to Europe. There is no mention of:
 - a. Customs.
 - b. Container scanners.
 - c. Specific requirements re Channel Tunnel Freight issues that are dealt with by the Department of Transport (Transec), which are legally binding and have implications for the site.
2. Perimeter Fencing: The DAS says about perimeter fencing being 2.8m high and will include weldmesh in some areas (page 63 of DAS), but gives no other detail as to what Network Rail standard for such sites is.
 - a. Will the weldmesh be to a security standard and will it be fitted to a security standard?
 - b. What is the other fencing proposed?
 - c. Will there be gates across the railway line to prevent casual intrusion onto the site from this entrance / exit, when trains are not running?
3. CCTV & Lighting: There will be CCTV and lighting on site, but no details.
 - a. If lighting is restricted on some areas of the site to prevent light pollution will there be sufficient light levels or will Infra Red lights be used? (DAS page 73)
 - b. Will all entrances and exits to the site be covered by CCTV and to what standard?
 - c. Will ANPR be used on site so that vehicles that regularly use the site will gain access / egress easier?
 - d. Will there be an escape lane so that if an HGV tries to gain access to the site but is not authorised it can exit the area without going on site?
 - e. Will there be comprehensive CCTV of the area where goods are stored or will that be down to individual companies using different parts of the site?
 - f. Page 49 of the DAS mentions cargo from intermodal units could then be discharged into the warehouse for storage and any 'Added Value Activities'. There is no explanation of what this incorporates, but will this be covered by CCTV?
 - g. Will the CCTV be monitored and will it be recorded for a period of 31 days before overwriting? If crimes occur and there is evidence on the CCTV will there be the capability to provide police with evidential CCTV copies?
 - h. There are cycle parking (386 spaces), car parking (1,000 spaces), motor cycle parking (50 spaces) areas. Will there be CCTV of these areas, to

counter theft? The cycle parking area gives no details as to whether there will be natural surveillance over this area or the cycles will be hidden away in the secure and sheltered cycle parking (DAS page 62).

4. HGV parking and rest facilities: Page 53 of the DAS says about secure HGV parking, but gives no details. This must be secure to encourage HGV drivers to park in this area whilst awaiting their time slot, so they are not clogging up surrounding roads. Also on page 53, reference is made to toilet facilities for drivers of HGV's as well as being able to have a snack / meal and hot drink, but does not say that these facilities will be provided. It only says litter bins will be provided.
5. HGV Weighbridge: There is no mention of a weighbridge and whether this will be a dynamic or where the HGV has to stop on the weighbridge itself. As said earlier HGV drivers will need to be sure they are driving within UK HGV weight limits.
6. Police and partner agencies will do occasional operations on HGV's leaving / attending the site to check for weight and HGV fitness to be on the road. To prevent such operations effectively closing down the site, there needs to be some thought as to how this will be achieved and whether there needs to be a weighbridge on site that Police and VOSA can use evidentially or whether this needs to be close to the site, but off site. The Police would be looking for the SIFE site to fully fund such a weighbridge.
This should be included in any Sec106 funding and agreement.
7. Education Centre: On page 60 of the DAS an Education Centre location is shown on the plan, but there are no details as to design or security for such a building. Being in such an isolated location it could attract graffiti and damage.
8. Estate Management: Page 90 / 91 of the DAS says about Estate Management and a dedicated security team.
 - a. Part of that security will be making sure the correct load / container goes with the correct HGV to the correct customer and that criminal elements do not steal such loads, as has happened at warehouse facilities around Heathrow Airport.
 - b. Also as to what measures will be developed for security of transport of dangerous goods by road and rail and any restricted zones. If dangerous goods are being transported, will there be a separate railway line with bunding around?

I appreciate some of the above issues are not planning matters but will be management issues, but all need to be planned for.

Response

Those issues that are planning matters can be dealt with at reserved matters stage if the proposal is permitted.

6.43 **Thames Water**

Thames water advised they had no additional comments in relation to the Environmental Statement addendum (ES).

Their response to the previous consultation was as follows

- 1 Waste Water: Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 01923 898072) prior to the Planning Application approval.
- 2 Public sewers: There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
- 3 Trade effluent: A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. [...] Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 4 Water supply Comments: none

6.44 **The British Horse Society** Access Department London and the South East Section

The British Horse Society's position is that we are opposed to any development that adversely affects riders' use of any previously-enjoyed access to the countryside, including rights of way, common land, forests or any other access.

Where development includes provision for more equestrian access, the BHS

would generally support this, provided the new routes can link up with local stables to ensure better and safer overall provision for horse access.

I have not so far been able to contact any local riders who use the Colnbrook routes, but I believe they are generally opposed to the SIFE development, so on balance I would have to add my objection to theirs.

6.45 **Veolia**

No objection to the proposal but two of the company's existing subterranean raw water intake tunnels are located at some depth below the rail freight interchange land. Request the planning authority consider and impose necessary protective condition in respect of Veolia critical infrastructure being an integral part of the public water supply.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Guidance

Planning Policy Statement 1 (Creating Sustainable Communities)

- Planning Policy Guidance 2 (Green Belts)
- Planning Policy Statement 4 (Economic Growth)
- Planning Policy Statement 5 (Planning for the Historic Environment)
- Planning Policy Guidance 9 (Biological and Geological Conservation)
- Planning Policy Guidance 13 (Transport)
- Planning Policy Guidance 23 (Planning and pollution control)
- Planning Policy Guidance 24 (Planning and noise)
- Planning Policy Statement 25 (Development and Flood Risk)

Local Development Framework, Core Strategy,

- Core Policy 1 (Spatial Strategy)
- Core Policy 2 (Green Belt and Open Spaces)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 9 (Natural Built and Historic Environment)
- Core Policy 10 (Infrastructure)

Local Development Framework, Site Allocations

Site Allocations Policy 1 (SSA 25)

Adopted Local Plan for Slough – saved policies

- CG1 (Colne Valley Park)
- CG2 (Linear Park)
- CG9 (Strategic Gap)
- EN22 (protection of sites with nature conservation interest)
- EN23 (areas of local nature conservation interest)
- EN24 (protection of water courses)
- T7 (Rights of way)

8.0 The Development Plan

- 8.1 The starting point for considering the planning application is the Development Plan. Section 38 (6) of the 2004 Planning and Compulsory Purchase Act states that planning applications must be determined in accordance with the development plan unless other materials considerations unless material considerations indicate otherwise.
- 8.2 In this case the Development Plan consists of the saved elements of the Local Plan for Slough (2004), the Berkshire Minerals Local Plan (2001) and the Berkshire Waste Local Plan (1998); the Slough Core Strategy (2008) and the Slough Site Allocations DPD (2010).
- 8.3 The South East Plan (2009) is still technically part of the Development Plan but the Government has announced its intention to revoke it. The implications of this are set out below.

Local Plan for Slough

- 8.4 The Local Plan for Slough was adopted in March 2004. Parts of it have been “saved” by the Secretary of State and so still form part of the Development Plan. With regards to rail freight, paragraph 8.114 of the Plan states:

“The Council supports the principle of encouraging the use of the railways for carrying as much freight as possible in order to relieve the road system. It has therefore supported the principle of having a Logistics Centre at Colnbrook which would be used to bring in 1.5 million tonnes of bulk materials for the construction of T5 at Heathrow if this development goes ahead.....”

- 8.5 The Local Plan was adopted after the Secretary of State had refused LIFE application and so the support for rail depots is qualified in the light of this. Paragraph 8.117 therefore states::

“Proposals for any further rail freight facilities at Colnbrook would have to demonstrate that there is a national need for such a development sufficient to overcome Green Belt and other strategic planning objections, that the facility could be accommodated upon both the existing road and railway network, and that there would not be unacceptable environmental impacts.”

- 8.6 Saved Policy T12 (Rail Freight Transfer Facilities) of the adopted Local Plan states:

The provision of new rail freight transfer facilities will only be permitted where they can be accommodated without having an unacceptable effect upon the local environment or cause congestion or road safety problems upon the local highway network.

- 8.7 The proposal is in the Colne Valley Park, and impacts therefore need to be addressed against Saved Policy CG1 (Colne Valley Park) which states:

Proposals for development within the countryside or other open areas in the Colne Valley Park will not be permitted unless they:

- a) maintain and enhance the landscape and waterscape of the park in terms of its scenic and conservation value and its overall amenity
- b) resist urbanisation of existing areas of countryside;
- c) conserve the nature conservation resources of the park; and
- d) provide opportunities for countryside recreation which do not compromise the above.

Where development is permitted in these areas, measures to mitigate any visual impact and/or enhance nature conservation and/or provision of new improved access to the countryside will be sought by agreement and/or required by condition.

Where development is permitted within the built up area of the Colne Valley Park, which would have a significant visual impact on the park, appropriate mitigation measures to realise the aims and objectives of the Colne Valley Strategy will be sought by agreement and/or required by condition.

- 8.8 The route of the Slough Linear Park follows that of the Colne Valley Trail in running along the eastern boundary of the site alongside the Colne Brook and other waterbodies. Mitigation measures proposed need to be considered against Saved Policy CG2 (Linear Park) which states:

The establishment of a Linear park with shared use path for pedestrians and cyclists from the western to the eastern boundary of the borough, as shown on the Proposals Map, will be supported.

Development proposals which would prejudice the route or detract from users' enjoyment will not be permitted. Improved access to the Linear Park, and landscape enhancement measures, will be sought from any development proposals adjacent to the route.

...

- 8.9 The site also falls entirely within the Strategic Gap, protected by saved Policy CG9 (Strategic Gap) which states:

Any proposal which threatens the clear separation or the role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted.

- 8.10 The site covers part of the route proposed for an extended railway line to London Heathrow whose protection is established in Saved Policy T11(Protection of the West Drayton to Staines Line) states:

Development will not be permitted if it would prejudice the use or operation of the West Drayton to Staines railway line for future passenger or freight services.

- 8.11 The proposal would see a step-change in the character of the environment which requires landscaping to screen it. This and the built element of the proposal, including the warehouses, intermodal terminal, car parking and access roads also needs

addressing, although details would be left to reserved matters if the proposal received approval, the principles need to be addressed in accordance with Saved Policy EN3 (Landscaping Requirements) which states:

Comprehensive landscaping schemes will be required for all new development proposals. Where there are existing mature trees, or other features such as watercourses, which make a significant contribution to the landscape, these should be retained and incorporated into the new scheme. Landscaping should be carried out in the first planting season following the completion of the proposed development and a scheme for the subsequent maintenance and retention of the existing and proposed planting should be established. Off-site planting may be required for development proposals where there is a substantial loss of landscaping on site or where there is the opportunity to enhance existing landscaping in the vicinity of the development.

In addition, landscaping schemes must have regard to all of the following:

- a) impact upon the street scene;**
- b) screening effect of the proposed landscaping;**
- c) use of both hard and soft landscaping to soften the built form;**
- d) variety of plant and tree species and their appropriateness for the location;**
- e) the extent to which landscaping can act as a means of enclosure;**
- f) improvements to visual amenity; and**
- g) opportunities for creating new wildlife habitats.**

In some cases, it will be more appropriate for landscaping schemes to be initiated prior to construction.

- 8.12 The site is important for local biodiversity and impacts on Old Wood former wildlife heritage site and Old Slade Lake, Orlits Lake and Colnbrook West Wildlife Heritage Site need addressing in line with Policy EN22 (Protection of Sites with Nature Conservation Interest) which states:

Special account will be taken of nature conservation interest when determining proposals for development which would be detrimental to identified and future Wildlife Heritage Sites and any other land which meets the criteria for Wildlife Heritage Sites or contains features of local ecological importance.

Any proposed development which would have a detrimental effect on such a site will be refused unless it can be demonstrated that appropriate measures can be taken to conserve the site's wildlife interest as far as possible.

Ecological appraisals will be required where proposed development is likely to threaten any nature conservation interest.

- 8.13 The applicant has proposed mitigation for the loss of the north bank of Old Slade Lake as this is partially destroyed by the proposal. Impacts and mitigation need to be

considered in accordance with Policy EN23 (Areas of Local Nature Conservation Interest):

**Encouragement will be given to the creation and enhancement of areas of local nature conservation interest by identifying them as local informal nature reserves or wildlife corridors. sympathetic habitat management and suitable public access arrangements will be sought.
The following sites are proposed as non-statutory informal nature reserves.**

...

Proposal Site 39 - Old Slade Lake, Colnbrook

...

- 8.14 The site has a number of watercourses, waterbodies, ditches and standing ponds whose treatment needs to consider Policy EN24 (Protection of Watercourses) which states:

Development will not be permitted which will have a detrimental effect on water quality or the ecological, amenity or historical value of the watercourse. Where appropriate, measures to enhance or restore watercourses will be encouraged. In certain circumstances, the substitution of replacement features of equal or greater value, through the use of planning conditions or agreements, will be considered if there is no overall detrimental affect on water quality, ecological or amenity value.

- 8.15 Several Pubic Rights of Way cross the site. These are covered by a duty in the Countryside and Rights of Way Act and also Policy T7 (Rights of Way):

Planning permission will not be granted for developments which affect an existing right of way unless the proposal maintains the right of way to an appropriate standard or makes provision for its diversion along a route which is at least as attractive, safe and convenient for public use. An enhancement of the right of way network will be sought where this is needed as a result of new development.

- 8.16 All of these policies are directly relevant to SIFE and the implications are considered in detail in the relevant sections below.

Core Strategy

- 8.17 The Slough Core Strategy 2006-2026 was adopted in December 2008. It has not repeated or replaced Local Plan Policy T12 (Rail Freight Transfer facilities) or the other saved Local Plan policies referred to above.
- 8.18 In preparing the Core Strategy the Council was unaware of any proposals to reactivate the LIFE proposal. As a result the version of the plan that was submitted to the Secretary of State in November 2007 made no reference to SIFE.
- 8.19 Argent objected to the omission of a policy for a rail freight depot in the plan which was subsequently taken over by Goodman. The Council rejected the idea of having either an allocation or a policy for SIFE. It did, however, recognise that a proposal of this magnitude, which was contrary to the Spatial Strategy, could not be ignored. As a result

it agreed that it would be appropriate to refer to SIFE within the 'Context' Chapter of the plan and include three new paragraphs, as a minor amendment to the Core Strategy, which would explain how any planning application would be dealt with.

8.20 These paragraphs state:

2.29 The Council has also recently become aware of proposals for the Slough Intermodal Freight Exchange (SIFE) on land north of Colnbrook bypass. A previous proposal for the London International Freight Exchange (LIFE) was refused by the Council and this refusal was upheld by the Secretary of State following a public inquiry.

2.30 Planning permission has been granted for a number of rail linked developments on the West Drayton to Staines line, east of Lakeside Road. Any further rail freight facilities at Colnbrook would have to demonstrate that there was a national or regional need for such a development and very special circumstances sufficient to overcome Green Belt and other strategic planning objections. It would have to demonstrate that there would not be unacceptable environmental impacts and that the facility could be accommodated upon both the existing road and railway network. This would include safeguarding capacity for both Crossrail and the proposed Western Connection passenger rail link to Heathrow.

2.31 If permitted, a high level of rail use of the warehousing would have to be guaranteed in order to ensure that the proposed benefits of the Freight Exchange are actually delivered.

8.21 Paragraph 2.29 was included in order to set out the background to the SIFE proposal, including the fact that a previous similar proposal had been refused by the Secretary of State. The reasons for refusal are not spelt out in the paragraph but the Secretary of State concluded that that an over-riding need had not been established for the proposed development which was sufficient to constitute very special circumstances that would justify allowing inappropriate development in the Green Belt.

8.22 The paragraphs were not intended to be comprehensive or to set out what all of the policy tests would be. The paragraph reiterates the Secretary of States previous concerns about the need for the development to demonstrate that there were very special circumstances to overcome Green Belt policy. Some of the other key issues are not, however, explicitly referred to. The impact upon the Strategic Gap and Colne Valley Park are simply covered under the term "other strategic planning objections." The impact upon the Air Quality Management Areas are covered under the broad category of "unacceptable environmental impacts".

8.23 The inclusion of the paragraphs within the Core Strategy do not imply any tacit acceptance of SIFE or that there should be any relaxation of policy, including all of those that resulted in the previous LIFE application being refused. The purpose of paragraphs 2.30 and 2.31 is to explain how any planning application for rail freight facilities would be dealt with.

8.24 Whilst it is clearly not possible for any policy to absolutely bar any development, it is considered that Core Policy 2 sets out as strong as possible objection to development within the Strategic Gap and Colne Valley Park, which adds an addition layer of policy

restraint over and above the normal presumption against inappropriate development in the Green Belt.

- 8.25 The SIFE application also has to be considered against a number of other policies in the Core Strategy.

Part of Core Policy 1 (Spatial Strategy) states:

All development will take place within the built up area, predominantly on previously developed land, unless there are very special circumstances that would justify the use of Green Belt land. A strategic gap will be maintained between Slough and Greater London.

Part of Core Policy 2 (Green Belt and Open Spaces) states:

Development will only be permitted in the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park if it is essential to be in that location.

Part of Core Policy 5 (Employment) states:

Major warehouse and distribution development will be located in the eastern part of the Borough and in Existing Business Areas that have good access to the strategic road and rail network.

Parts of Core Policy 7 (Transport) state;

Development proposals will, either individually or collectively, have to make appropriate provision for:

- **Reducing the need to travel;**
- **Widening travel choices and making travel by sustainable means of transport more attractive than the private car;**
- **Improving road safety; and**
- **Improving air quality and reducing the impact of travel upon the environment, in particular climate change.**

Development proposals will also have to make contributions to or provision for :

- **The improvement of key transport corridors such as the links to Heathrow Airport;**

- 8.26 The planning application also has to be assessed against the relevant parts of Core Policy 8 (Sustainability and the Environment), Core Policy 9 (Natural and Built Environment) and Core Policy 10 (Infrastructure).

- 8.27 Core Policy 8 (Sustainability and the Environment) states

All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate

change.

1. Sustainable Design and Construction Principles: All development should, where feasible, include measures to:

- a) Minimise the consumption and unnecessary use of energy, particularly from non renewable sources;
- b) Recycle waste;
- c) Generate energy from renewable resources;
- d) Reduce water consumption; and
- e) Incorporate sustainable design and construction techniques, including the use of recycled and energy efficient building materials.

2. High Quality Design: All development will:

- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;
- b) Respect its location and surroundings;
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

3. Pollution :Development shall not:

- a) Give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise;
- b) Cause contamination or a deterioration in land, soil or water quality; and
- c) Be located on polluted land, areas affected by air pollution or in noisy environments unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.

4. Flooding

- a) Development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the property and it will not impede the flow of floodwaters, increase the risk of flooding elsewhere or reduce the capacity of a floodplain; and
- b) Development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.

8.28 **Core Policy 9** states

Development will not be permitted unless it:

- Enhances and protects the historic environment;
- Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
- Protects and enhances the water environment and its margins;

• Enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

8.29 The extent to which the proposal complies with these policies is set out in the relevant sections below.

Site Allocations DPD

8.30 The Council has subsequently prepared a Slough Site Allocations DPD which was adopted in November 2010. The main role of this document is to identify sites that could deliver the Spatial Vision, Strategic Objectives and policies in the Core Strategy. The preparation of this document has reinforced the Council's policy approach to the Strategic Gap and SIFE.

8.31 Work on the Site Allocation Document began with an information gathering exercise in June and July 2008 when the Council asked the public, developers and organisations to put forward any suggestions for the use of any areas of land in the Borough.

8.32 As part of this exercise Goodman submitted a document in order to promote its land to the east of Sutton Lane, Colnbrook for the inclusion within the Site Specific Allocations DPD for an intermodal rail freight terminal.

8.33 This was included as Site 83 in the Consultation Draft of the Site Allocations DPD which was published in 2008. Paragraph 1.4 of this document made it clear that:

All of the sites that were submitted have been included in this document without going through a selection process. As a result they have been published for consultation purposes only, without any endorsement from the Council.

8.34 Although the Council did not endorse any of the proposals, it did include a "Traffic Light" assessment of each of the sites in order to help people participate in the consultation exercise by providing an indication as to the likelihood of sites being in accordance with the Core Strategy. Site 83 was assessed as being unlikely in principle to comply with the Core Strategy which was the lowest category.

8.35 SIFE proposal was not taken forward into the Site Allocations Submission Version (February 2010) because it conflicted with the Core Strategy.

8.36 Goodman objected to the failure of the Site Allocations Document to, in its view, reflect the Core Strategy and allocate the SIFE site for development. The Inspector rejected Goodman's interpretation of the Core Strategy in paragraph 3.81 of his decision letter of 31st August 2010 which states:

... So far as the Core Strategy is concerned, I note that changes to the document recommended for soundness reasons refer to a proposal for an intermodal freight exchange on a large tract of mainly open land situated to the north of the Colnbrook Bypass. Amongst other things the changes identify a number of key matters that would need to be addressed if and when a planning application for such a facility is submitted. In effect the paragraphs in

question provide a helpful guidance to any perspective developer(s) and set the policy context for any future decision...

- 8.37 He considered the implications of the Secretary of State's decision at Radlett and that the land north of the Colnbrook bypass could be identified at some future date as the preferred location for a new interchange, nevertheless he concluded in paragraph 3.84 of his report that:

...in advance of a planning application for an interchange facility at site 83 and further assessments of alternative locations, I am not convinced that the DPD should identify this land as a preferred or even a potential location...

As a result the Inspector decided that there was no need to change the Site Allocations DPD to introduce a reference to a new intermodal freight exchange north of the Colnbrook bypass.

- 8.38 The preparation of the Site Allocations DPP has not therefore supported the development of SIFE.

South East Plan

- 8.39 The South East Plan was approved in May 2009 and still remains part of the development plan despite the fact that the Government has announced its intention to abolish all Regional Strategies when the Localism Bill becomes law. The implications of this are discussed in more detail below.
- 8.40 There are three policies in the South East Plan that are directly related to Rail Freight: T11, T12 and T13.
- 8.41 South East Plan Policy T11 (Rail Freight) states:

The railway system should be developed to carry increasing share of freight movements. Priority should be given in other relevant regional strategies, local development documents, and local transport plans, providing enhanced capacity for the movement of freight by rail on the following corridors:

- i. Southampton to West Midlands**
- ii. Dover/Channel Tunnel to and through/around London**
- iii. Great Western Main Line**
- iv. Portsmouth to Southampton/West Midlands**

- 8.42 The extent to which SIFE complies with this policy is explained in the section on rail below.
- 8.43 South East Plan Policy T12 (Freight and Site Safeguarding) states:

Relevant regional strategies, local development documents and local transport plans should include policies and proposals that:

- i safeguard wharves, depots and other sites that are, or could be critical**

- in developing the capacity of the transport system to move freight, particularly by rail or water
- ii safeguard and promote sites adjacent to railways, ports and rivers for development, particularly new intermodal facilities and rail related industry and warehousing, that are likely to maximise freight movement by rail or water
- iii encourage development with a high generation of freight and/or commercial movements to be located close to intermodal facilities, rail freight and/or commercial movements to be located close to intermodal facilities, rail freight facilities, or ports or wharves.

8.44 The Council has safeguarded the existing rail terminals in Slough through Policy 26 of the Replacement Minerals Local Plan for Berkshire and the Site Allocations DPD.

8.45 The key policy in the South East Plan as far as SIFE is concerned is Policy T13 (Intermodal Interchanges) which states:

The regional planning body should work jointly with DfT rail, Network Rail, the Highways Agency, the Freight Transport Association and local authorities to identify broad locations within the region for up to three intermodal interchange facilities. These facilities should have the potential to deliver modal shift and be well related to:

- i rail and road corridors capable of accommodating the anticipated level of freight movements
- ii the proposed markets
- iii London

8.46 The important issue of the need for a number of intermodal interchanges in the South East is discussed in detail in below.

8.47 The South East Plan also sets out the agreed main aims of the Colne valley Park in Policy WCBV5 (The Colne Valley Park) which states:

The local authorities will work together with other agencies in pursuance of the agreed aims of the Colne Valley Park:

- a. to maintain and enhance the landscape (including settlements) and waterscape of the Park, in terms of their scenic and conservation value and their overall amenity
- b. to resist urbanisation of the Colne Valley park and to safeguard existing areas of countryside from inappropriate development
- c. to conserve nature conservation resources of the Park through the provision of green infrastructure networks and protection and management of its diverse plant and animal species, habitats and geological features
- d. to provide accessible facilities and opportunities for countryside recreation where this does not compromise i, ii or iii.

8.48 The Government revoked all Regional Strategies in July 2010 but they were re-established in November 2010 after a successful High Court Challenge by CALA

Homes.

- 8.49 The Government subsequently announced that its intention to revoke the Regional Strategies should be a material consideration in determining planning applications. This was upheld by the High Court and Court of Appeal in following a further challenge by CALA Homes.
- 8.50 As a result the South East Plan remains part of the statutory development plan but the Government's intention to abolish it can be regarded a material consideration by Local Planning Authorities and Inspectors when deciding planning applications and appeals.
- 8.51 In his decision on the Radlett application the Secretary of State took account of the abolition of the East of England Plan but stated that:
- “In view of the general policy support for the provision of SRFIs [in] other policy documents, he does not consider the revocation raises any matters that would affect his decision or require him to refer back to parties for further representation prior to reaching his decision”.*
- 8.52 The Secretary of State took a similar approach to the revocation of the South East Plan in refusing the Kent International Gateway application at Maidstone.
- 8.53 As a result the Council considers that it is appropriate to consider SIFE in the context of the South East Plan, particularly in relation to the overall need for Strategic Rail Freight Interchanges. This does not, however, mean that equal weight should be given to it compared with other policies such as Green Belt, Strategic Gap and Colne Valley Park which still have the full status of being part of the Development Plan.

Replacement Minerals Plan for Berkshire

- 8.54 The Replacement Minerals Plan for Berkshire was adopted in November 1995. Subsequent alterations to the plan were adopted in December 1997 and May 2001. These alterations took account of the fact that Colnbrook and Poyle had been transferred into Slough and the need to roll forward the policies and proposals. Twenty-one of these policies were “saved” by the Secretary of State in September 2007.
- 8.55 One of the policies that is relevant to SIFE is saved Policy 26 which deals with the safeguarding of rail depots. This identifies the land east of the former West Drayton-Staines branch railway line as Depot Site 5 and states that the Local Planning Authority will seek to safeguard it from development which would prejudice its use as a rail aggregates depot.
- 8.56 This site is now used by Aggregates Industries Ltd and London Concrete both of whom import material by rail.
- 8.57 Unlike the previous LIFE proposal, SIFE does not directly affect this area and it has been established that there will still be enough train paths to allow it to operate. As a result it is not considered that SIFE conflicts with this policy.

- 8.58 A small part of the application site close to the M4 is identified in the Local Plan for minerals extraction as Preferred Area 14 – Old Slade Lake Colnbrook. The Plan states that the potential yield from the site is 150,000 tonnes of gravel.
- 8.59 The SIFE development will effectively sterilise this mineral resource contrary to Policy 1 of the Replacement Minerals Local Plan for Berkshire which states:

The County Council will seek to husband the mineral resources of Berkshire, to prevent their wasteful use or sterilisation.

- 8.60 This area is proposed to have a new railway line running over it and it would not be practical to extract gravel from this area and then re fill it with other material. As a result not considered that the sterilisation of this “borrow pit” is an issue that would warrant a reason for refusal.

Berkshire Waste Local Plan

- 8.61 The Waste Local Plan for Berkshire was adopted in 1998. In September 2007 a number of the policies were saved by the Secretary of State until replaced by future LDF Development Plan Documents.
- 8.62 There are no relevant saved Waste Local Plan policies which apply to the application site. Part of the rail site to the east of lakeside Road was identified as a preferred area for waste management uses in Policy WLP11 but the proposal does not affect this.

The Radlett Appeal Decisions and Challenge

- 9.1 In addition to taking into account all of the relevant Development Plans it is also necessary to consider the implications of the various decisions that have been made about the proposal for a Strategic Rail Freight Interchange at Radlett near St Albans.
- 9.2 A planning application was made by Helioslough for a 330,000m² SRFI at Radlett in 2006 which was refused by St Albans for 14 reasons including the fact that it was in the Green Belt. This was the subject of an Inquiry in 2007 as a result of which the Inspector and Secretary of State concluded that it should be refused. The only reason for refusal was that the Secretary of State was not satisfied that the appellant had demonstrated that no other sites would come forward to meet the need for further SRFIs to serve London and the South East and she was unable to conclude that the harm to the green Belt would be outweighed by the need to develop a SRFI at Radlett.
- 9.3 Helioslough carried out an Alternative Sites Assessment which looked at a number of sites including Colnbrook. This concluded that there wasn't a site which could appropriately operate as an SRFI whilst causing less harm to the Green Belt. As a result it resubmitted the application which was once again refused by St Albans Council for 14 reasons.
- 9.4 This was the subject of second inquiry in 2009 after which the Inspector recommended that the application should be approved. Part of his reasoning was that it could not be rationally concluded that Colnbrook would meet the needs for a SRFI in a less harmful way than Radlett because it was located within a Strategic gap in the Green Belt.

9.5 The Secretary of State disagreed with the Inspector and stated that he did not consider that the Strategic Gap designation weighed heavily against the location and concluded that:

“If an application were to be made for a SRFI at Colnbrook of about the size indicated in evidence to the Radlett Inquiry, then harm to the Green Belt might, subject to testing in an alternative site assessment, be found to be significantly less than the harm caused by the Radlett proposal.”

As a result the secretary of State refused the Radlett application in 2010.

9.6 In June 2011 the Secretary of State’s decision was the subject of a Challenge for a number of reasons including whether the Secretary of State had misconstrued the policies relating to the Strategic Gap at Colnbrook. The Challenge was brought under the Town and Country Planning Act (S288) and is a similar process to a Judicial Review.

9.7 The Judge came to the following conclusion about the Strategic Gap policy in the Slough Core Strategy:

“In my judgement it is clear, having regard to the Cores Strategy that an additional policy requirement in respect of development in the strategic gap, in addition to showing very special circumstances for an inappropriate development in the Green Belt, must also be shown. That is the clear wording of Core Policy 2 as explained in paragraph 7.26. The wording is in my judgement robust and clear and provides that development will only be permitted if it is essential to be in that location. It is in my judgement and additional policy restraint.”

9.8 This means that when the Judge compared Radlett with Colnbrook he came to the following conclusion:

“Having regard to the fact that there is no strategic gap at Radlett and no coalescence issue there, there is no rational explanation given as to the basis upon which even a smaller development [at Colnbrook] might be found to cause less harm to the Green Belt than Radlett”.

9.9 He therefore quashed the Secretary of State’s decision to refuse the Radlett application for the following reasons. Firstly the Secretary of State's decision letter did not reflect the fact that the local Core Strategy policy affecting Colnbrook was especially formulated to protect the Strategic Gap. The Secretary of State was required to consider and apply that policy. Secondly the decision letter gave rise to doubt as to whether the Secretary of State had understood the inspector's decision in this regard, and did not adequately explain the conclusion that there should be an SRFI at Colnbrook rather than Radlett.

9.10 Neither the Secretary of State nor St Albans Council have appealed against the Judge’s decision and so it is now up to the Secretary of State to decide what to do with the planning application. He can still refuse the Radlett proposal, but to do so he would have to show clear reasons for doing so, taking into account the Inspector’s recommendation and the Strategic Gap policies in the Core Strategy.

- 9.11 At this stage, in the absence of a decision from the Secretary of State, it should not be assumed that planning permission will be granted for the Radlett rail depot.
- 9.12 In addition to issues about Green Belt and alternative sites, the Inquiries into the Radlett proposal have established a number of other key points which need to be taken into account. Firstly the Secretary of State has made it clear that the need to for SRFIs to serve London and the South East can be a material consideration of very considerable weight.
- 9.13 Secondly the Secretary of State has accepted that Radlett and Colnbrook could be considered as alternative sites within the North West Quadrant.
- 9.14 Thirdly the Secretary of State has also taken into account the extent to which there are other benefits associated with a development in deciding whether to grant planning permission for a SRFI.
- 9.15 The implications of the various Radlett decisions are discussed in the relevant parts of this report.

PLANNING ASSESSMENT

10.0 The Specific Need for Rail Freight Depots in the South East

- 10.1 In order to consider the merits of the planning application it is first necessary to establish the extent to which there is a need for the development.
- 10.2 Paragraph 2.30 of the Slough Core Strategy states that:
- Any further rail freight facilities at Colnbrook would have to demonstrate that there was a national or regional need for such a development.....”*
- SIFE is not intended to be a national distribution centre. As a result there is no national need for the development.
- 10.3 There is also no need for a rail freight depot to just to serve Slough and the surrounding area and so the development can only be justified if there is a regional need for the development in this location.
- 10.4 The question as to how “need” for rail freight facilities should be assessed in this location was considered by the Secretary of State following the LIFE inquiry. He came to the conclusion that although there was a “policy need” for the facility, which had been made clear by the Government and the Strategic Rail Authority, he did not consider that an over-riding need had been established for the proposed development and refused the application on this basis.
- 10.5 As a result it is necessary to assess whether there have been any changes in circumstances since then, taking into account the Secretary of State’s view in the Radlett case, that the need to for SRFIs to serve London and the South East can be a material consideration of very considerable weight.

- 10.6 The need for additional rail freight depots in the South East is based upon the work done by the former Strategic Rail Authority (SRA).
- 10.7 In March 2001 the Strategic Rail Authority published its “Strategic Agenda” for the railways. Page 25 of this document stated:
- “In addition to the proposed interchange at Colnbrook (currently being considered following a public enquiry) the London region will require two or three major new facilities”.*
- 10.8 This was followed by the publication of the Strategic Rail Authority Freight Strategy in May 2001.
- 10.9 The SRA also wrote to the Secretary of State in April 2002 in response to the invitation to make comments on the various matters that had been identified about LIFE. The letter of 2nd April 2002 stated that:
- “The SRA’s Freight Strategy explicitly identifies the L.I.F.E. proposal at Colnbrook as being a development which accords with the SRA’s Freight Strategy and in turn which will provide the necessary infrastructure to enable the rail freight market to achieve the Ten Year Plan growth target. The Strategy also identifies that in addition to the L.I.F.E. proposal there is a need to construct an additional two or three similar schemes to serve London and South East market, together with additional smaller sites within the M25.....”*
- 10.10 Despite the fact that Colnbrook had been specifically identified by the SRA as one of three or four rail freight terminals that were needed to serve London and the greater south east, the Secretary of State still refused LIFE on the grounds that there was not an overriding need for the development.
- 10.11 The SRA produced a policy for Strategic Rail Freight Interchanges in 2004 which confirmed the need for three or four in London and the South East and suggested that 400,000m² of rail linked warehousing would be needed by 2015.
- 10.12 The SRA was abolished in 2006 and there has been very little further work on assessing the need for rail freight sites in the South East.
- 10.13 All of the work that was carried on this topic for the South East Plan was based upon that undertaken by the SRA. As a result the Draft plan assumed that two or three SRFIs would be needed.
- 10.14 Slough Borough Council did not take part in the Examination in Public but its general concerns about proposed rail freight depots being used as “Trojan Horses” for road to road interchanges were however made through the Berkshire Joint Strategic Planning Unit at the EIP.
- 10.15 The Panel which held the Examination in Public between November 2006 and March 2007 noted that
- “Useful data supporting possible locations were submitted to the examination on behalf of developer interests including from Helioslough [Radlett] Rosemound [Swanley] and*

Kent International Gateway Ltd [Maidstone]".

10.16 There was no evidence submitted in support of Colnbrook and so there can be no suggestion that it has in anyway been identified as a possible location for a SRFI in the South East Plan.

10.17 Policy T13 (Intermodal Interchanges) of the approved South East Plan (2009) states:

The regional planning body should work jointly with DfT rail, Network Rail, the Highways Agency, the Freight Transport Association and local authorities to identify broad locations within the region for up to three intermodal interchange facilities. These facilities should have the potential to deliver modal shift and be well related to:

- i rail and road corridors capable of accommodating the anticipated level of freight movements**
- ii the proposed markets**
- iii London**

10.18 This policy has two main elements. It quantifies the number of intermodal interchanges that could be provided in the South East region in the next twenty years and sets out some locational criteria for the various bodies to use in identifying the broad locations for these possible interchanges.

10.19 Paragraph 8.37 of the plan explains that the requirement for up to three intermodal interchanges in the south east region is based upon the work undertaken by the former Strategic Rail Authority which identified the need for between three and four terminals to serve London and the wider south east.

10.20 One of the reasons that the South East Plan cannot be mores specific is because it is not clear how many interchanges will be provided in London, Eastern England.

10.21 Policy T10 (Freight Movement) of the East of England Plan 2001-2021 published in 2008 states:

Provision should be made for at least one strategic rail freight interchange at locations with good access to strategic rail routes and the strategic highway network, unless more suitable locations are identified within London or the South East for all three to four interchanges required to serve the Greater South East.

The basis of this policy is explained in paragraph 7.25 of the plan which states:

".....Given that the region includes a third of the M25 ring and that all of the main lines from London to the North and Scotland cross the M25 within the East of England, it is likely that at least one of the required strategic interchanges will need to be in the region."

10.22 The third element of the Greater South East is London. The replacement London Plan adopted in July 2011 recognises in paragraph 6.50 that *"the advice of the former Strategic Rail Authority that there needs to be a network of strategic rail freight*

interchanges in and around London still applies.”

10.23 Policy 6.14 (Freight) states

The Mayor supports the development of corridors [freight distribution (including servicing and deliveries)] to bypass London, especially for rail freight, to relieve congestion within London.

10.24 Policy 6.15 (Strategic rail freight interchanges) states:

The provision of strategic rail freight interchanges should be supported...for freight serving London and the wider region.

B These facilities must:

a deliver modal shift from road to rail

b minimize any adverse impact on the wider transport network

c be well-related to rail and road corridors

d capable of accommodating the anticipated level of freight movements

e be well-related to their proposed markets.

10.25 Supporting text at paragraph 6.50 states

‘...planning permission has already been granted for a SRFI at Howbury Park on the edge of Bexley in South East London and an opportunity exists for an intermodal facility in the Renwick Road/Ripple road area of Barking and Dagenham to make provision for north east London without the need to utilise Green Belt land.

10.26 As a result it can be seen the combined Regional plans set out a general overall need for 3 or 4 Strategic Rail Freight Interchanges in London and the Greater South East, of which one has already got permission at Howbury Park, Bexley on the London/Kent border.

10.27 This leaves 2 or 3 to be found in London and the Greater South East if the policies in the Regional Plans are to be met.

10.28 Since there are only going to be a few SRFIs, it has generally been accepted that they should be located in different quadrants around London in order to get the best geographical spread.

10.29 Paragraph 8.38 of the South East Plan states:

“Suitable sites are likely to be located where the key rail and road radials intersect with the M25 motorway.”

10.30 Goodman have produced an Alternative Sites Assessment which sets out a number of tests for assessing the suitability of sites as SFRIs. Paragraph 2.48 states that:

“As a minimum, sites should offer direct train access from the deep- sea container ports and the Channel Tunnel i.e. without the requirement for trains to reverse or use a circuitous route. Ideally, sites would offer direct train routes in all directions.”

- 10.31 The SIFE site is accessed via the branch line which connects with the Great Western Main Line at West Drayton. Unlike LIFE, it is not proposed to construct a west facing link which means that trains cannot access the site from west. This means that SIFE does not entirely meet Goodman's criteria in that it cannot offer train services the Southampton or Avonmouth ports.
- 10.32 It also means that all trains have to pass through London. This means that SIFE has no locational advantages in railway terms. Trains travelling to and from SIFE could just as easily get to any other location around London. As a result there is no need for a SFRI to be located at Colnbrook for rail distribution reasons.
- 10.33 The only possible justification for SIFE is that it is in a good location for road transport distribution, given its proximity to the motorway network west of London.
- 10.34 No further progress has been made in identifying the exact number or location of rail freight depots in London and the South East.
- 10.35 In considering the Radlett proposal the Secretary of State has made it clear that the need to for SRFIs to serve London and the South East can be a material consideration of very considerable weight. This did not, however, prevent the Secretary of State from subsequently refusing both Radlett and the application for a Strategic Rail Freight Interchange at Maidstone in Kent. It should be noted that in doing so he took account of the relevant Regional Plans and the fact that there is general policy support for the provision of SRFIs in other policy documents.
- 10.36 As a result it does not appear that there has been any significant change in the "need" case since the LIFE decision in 2001 when the Secretary of State concluded that although there was a "policy need" for the facility, he did not accept that there was a clear or compelling need for the development at Colnbrook.
- 10.37 None of the subsequent policy documents have identified Colnbrook as a site for a SRFI and there is nothing to suggest that there is a specific need for one in this location.
- 10.38 Although the Secretary of State has made it clear that the need to for SRFIs to serve London and the South East can be a material consideration of very considerable weight, this has not been sufficient to prevent LIFE, Radlett and Maidstone being refused by successive Secretaries of State.
- 10.39 As a result it can be seen that although there is a general policy need for up to 4 SRFIs in London and the greater South East, there is no specific need for one in Colnbrook. SIFE will not be able to serve the Great Western Main Line because it does not have a west facing link. As a result, since all trains using SIFE will have to pass through London, there is no need for a depot in this location. An equally good, or a better rail service could be provided from comparable locations anywhere around London.
- 11.0 **Demand for Strategic Rail Freight Interchanges**
- 11.1 In addition to there being no specific need for a Strategic Rail Freight Interchange at Colnbrook, it is not clear that there is an actual demand for one from potential warehouse operators.

- 11.2 The applicant's Need Case has stated that
- “it is important that the developer/promoter of a new rail-linked logistics park justifies the proposed development by demonstrating market demand. This is particularly so when the proposed development is located in the Green Belt.” (Need Case paragraph 4.5)
- 11.3 Goodman have sought to demonstrate that there is a demand for major new build warehousing in the west of London and that SIFE could provide for approximately 19% of this demand up to 2026. Whilst it is accepted that there may be a demand for more warehouses across the region this does not mean that there is necessarily any quantifiable demand for rail linked warehouses. Goodman's case is simply that further rail-linked sites will be required in order to encourage large new freight generators to be rail connected. This does not equate to showing an actual demand.
- 11.4 Significantly no proposed occupiers or interested parties have been identified for SIFE.
- 11.5 Although there are some major manufacturers in the Slough area, firms such as Mars and ICI carry out their distribution elsewhere. Unless manufacturers are actually located at SIFE they are unlikely to use the rail facility.
- 11.6 As a result the only likely occupiers are retailers or logistics operators. Apart from Waitrose at Bracknell there are very few distribution centres in Berkshire or the Thames Valley. The only large warehouse in the Slough area that the applicants could identify was the Royal Mail sorting office at Langley which is a high value operation feeding Heathrow airport.
- 11.7 There is a danger that SIFE could be used by air freight firms who would be prepared to pay for the rail facilities but not actually use them. In order to try to prevent this, Goodman have agreed to have a condition that would prevent the warehouses being sub divided below 50,000m² which should ensure that they are only occupied by the sort of bulk distributors who are most likely to use rail.
- 11.8 The absence of large distribution warehouses in the area is partly due to the lack of sites but also due to the higher rents and wages which makes the overall costs of warehousing much higher in the Thames Valley.
- 11.9 There are no Regional SRFIs serving London and the South East at present. The applicant has suggested that the fact that developers are applying for planning permission for SRFIs shows that there is demand for such facilities. It should be noted that the only one that has been granted permission is Howbury Park, which not been implemented even though it was permitted in 2007.
- 11.10 The SRA Strategic Rail Freight Interchange Policy (2004) identified that there might be a demand for 400,000m² of rail connected warehousing in the south east by 2015. It is not considered that this demonstrates that there is an actual demand for SRFIs. Even if it is, all of this could have been met if the permitted 198,000m² at Howbury Park (198,000m²) had been built and either Radlett (330,000m²) or Maidstone (290,000m²) been allowed. Indeed the combined floorspaces of these three SRFIs is around 820,000m² which is more than double forecast demand.

- 11.11 The small scale of SIFE at 190,000m² means that would make less of a contribution to meeting any regional need than other sites such as Radlett or Maidstone would have done. This is particularly significant in that SIFE will not have the critical mass needed to provide sufficient train services to make rail an attractive proposition.
- 11.12 The overall conclusion therefore that in addition to there being no clear or compelling need for the development of a Rail Freight Interchange at Colnbrook there is also no pressing demand for one either.
- 12.0 **Green Belt**
- 12.1 One of the fundamental policy objections to SIFE is that it is contrary to Green Belt policy.
- 12.2 Green Belt policy was one of the key factors in the previous planning application on the site for the London International Freight Exchange ('LIFE') The Council refused this on the grounds that it would compromise the purposes of the Green Belt including the fundamental aims of keeping it open land that the were no very special circumstances to justify the inappropriate development.
- 12.3 In considering the appeal, the Secretary of State identified that the main issue was the balance between sustainable transport and whether there were very special circumstances sufficient to outweigh the harm to the Green Belt.
- 12.4 The Secretary of State concluded that the development would reduce the openness of the area and conflict with the first three purposes of including land in the Green Belt. He consequently refused the LIFE application on the grounds that were not any very special circumstances that would justify inappropriate development in the Green Belt.
- 12.5 It has to be recognised that SIFE covered a larger area in that it included the Biffa land. It also had a larger footprint in that it proposed 214,000m² of warehousing compared to 190,000m² and some taller buildings. Nevertheless, given the amount of development that has now taken place on parts of the LIFE site east of the railway line and on and the Sewage Works, it is considered that the total amount of urbanisation will be roughly the same.
- 12.6 As a result the key issues with regard to Green Belt and the policy context are the same. The policy for the Green Belt is set out in Planning Policy Guidance Note 2 (PPG2) which sets out a presumption against inappropriate development in the Green Belt.
- 12.7 The Green Belt around Slough forms part of the Metropolitan Green Belt which has been put in place since the War in order to prevent the outward expansion of London. The Metropolitan Green Belt also contains a large number of towns and settlements.
- 12.8 The western part of the Metropolitan Green Belt is recognised as being the most fragmented and vulnerable to development. It also has some of the greatest pressure for development such as Heathrow Terminal 5 which has been allowed because it is in the national interest.

- 12.9 Whilst it is inevitable that some development has taken place in the Green Belt in order to meet proven needs, one of the essential characteristics is their permanence and so they must be protected for as far as can be seen ahead.
- 12.10 The last review of the Green Belt in Slough took place as part of the preparation of the Local Plan for Slough. Following an Alteration to the Berkshire Structure Plan in 1997, the Local Plan identified the land that needed to be released from the Green Belt for 1,000 houses that could not be accommodated in the built up area in Slough.
- 12.11 The Core Strategy was able to find sufficient land to meet the new housing allocation up to 2026 and so no Green Belt releases were required. It did however take the opportunity to put some land back into the Green Belt as set out in Core Policy 2, part of which states:

The existing areas of the Metropolitan Green Belt will be maintained...

Opportunities will be taken to enhance the quality and size of the Green Belt by designating additional areas, which have no development potential, as Green Belt.

- 12.12 The Site Allocations DPD confirmed where the new areas of Green Belt would be but didn't make any other changes. As a result there are no proposals to change the Green Belt boundary around Slough and so SIFE has to be judged against existing Green Belt Policy.
- 12.13 Paragraph 3.4 of PPG2 states that the construction of new buildings in the green belt is inappropriate unless it is for agriculture, forestry, outdoor sport or recreation, limited extensions to existing dwellings, limited infilling in villages or limited development within major existing developed site.
- 12.14 The proposed warehousing and associated development proposed for SIFE does not fall into any of these categories and so is not appropriate development in the Green Belt. Paragraph 3.2 of PPG 2 states:

Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development."

- 12.15 Paragraph 1.4 of PPG2 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the most important attribute of Green Belts is their openness.
- 12.16 It is considered that the proposed development of the large warehouses along with their associated rail and road infrastructure would clearly conflict with the key aim of keeping the land permanently open.

- 12.17 In considering the LIFE application the Secretary of State concluded that the site was part of the countryside and had a semi rural character, some parts being more rural than others. He found that the development would be perceived as a large-scale urban intrusion partly screened by artificial embankments. He therefore concluded that the development would reduce the openness of the area.
- 12.18 Although the SIFE development would have a smaller footprint than LIFE it would be built upon the most rural parts of the area where there is no current development and despite the proposed bunding and landscaping would also be perceived as a large scale urban intrusion in the countryside. It therefore conflicts with fundamental aim of Green Belt policy which is to keep land permanently open.
- 12.19 Whilst the most important attribute is their openness, the application can also be judged against the other purposes of Green Belt.
- 12.20 Paragraph 1.5 of PG2 states that the five purposes of including land in the Green Belt are:
- To check the unrestricted sprawl of large built up areas;
 - To prevent neighbouring towns from merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 12.21 The Secretary of State agreed that the proposed LIFE development would conflict with the first three purposes of including land in the Green Belt.
- 12.22 It is considered that the SIFE proposal would result in the unrestricted sprawl of a large built up area particularly since it would be situated in an already fragmented area of Green Belt.
- 12.23 SIFE would also lead to the merging of neighbouring towns which is particularly significant given the size of Slough and that the main purpose of the Metropolitan Green Belt is to stop the outward expansion of London.
- 12.24 The development of the SIFE site would also result in the loss of open countryside and rural footpaths and bridleways.
- 12.25 As a result the proposed SIFE development conflicts with Green Belt policy which sets out a presumption against inappropriate development and would cause significant harm to this fragmented and vulnerable part of the Green Belt.
- 12.26 There is no guarantee that any benefits will be delivered by SIFE and there are not any very special circumstances that would justify the inappropriate development in the Green Belt.

Alternative Sites

- 12.27 It was established at the Radlett Inquiry that in order to demonstrate that there are very special circumstances to justify development in the Green Belt it is necessary to show

that there are no alternative sites which are either outside of the Green Belt or would cause less harm to the Green Belt.

- 12.28 Extensive work was carried out for the Radlett Inquiry which established that there were only four possible sites for SRFIs in the north west quadrant of the M25 around London. These were Radlett, Colnbrook and two other sites near Luton and Harlington.
- 12.29 The Council has not carried out its own alternative sites study. It has, however, carried out a comparison between SIFE and the Radlett proposal which has concluded that the development of the site at Radlett would cause less harm to the Green Belt and so is a preferable alternative site. It has also compared Radlett with SIFE against a number of other important factors and this has also shown that Radlett is a preferable site on these grounds.
- 12.30 The Council's conclusions about the relative harm to the Green Belt echo those of the Inspector who held the second Inquiry at Radlett. After considering all of the evidence about the alternative sites he found that:
- “Due to the site being located in a Strategic Gap within the Green Belt, I agree with the appellant that Colnbrook it cannot be rationally concluded that Colnbrook would meet the need for a SRFI in a less harmful way than the appeal site.”* (para. 13.103)
- 12.31 The Secretary of State disagreed with the Inspector. He concluded that if an application were to be made for a SRFI at Colnbrook of about the size indicated in evidence to the Radlett inquiry, then harm to the Green Belt might, subject to testing in an alternative sites assessment, be found to be significantly less than the harm caused by the Radlett proposal.
- 12.32 As explained above, the Secretary of State's decision has now been quashed as a result of Helioslough's Challenge. Whatever the eventual outcome at Radlett may be, it should be noted that there has not been any challenge to the Inspector's conclusion or the Judge's view that the Strategic Gap in Slough added an additional layer of policy restraint.
- 12.33 It is also important to note that in coming to his conclusions about the relative merits of Radlett and Colnbrook, the Secretary of State recognised that he did not have the full details of the SIFE application before him and his decision was subject to testing in an alternative sites assessment.
- 12.34 In support of the SIFE application, Goodman has produced an “Alternative Sites – Green Belt Study”. This considers the potential effects upon the Green Belt of each of the sites at Radlett, Colnbrook, Harlington and Luton.
- 12.35 Using its methodology for scoring sites the applicant's concluded that the development of SIFE would have less impact upon the Green Belt compared to the other three.
- 12.36 The Council expressed its concerns about the methodology in the formal pre application advice before the application was submitted but it has not been changed to take account of these comments.

- 12.37 The first concern is that the methodology fails to take account of the fact that not all Green Belt is of equal importance or value in strategic terms.
- 12.38 It is considered that the nature of the specific parts of the Green Belt is particularly important. The more fragmented and vulnerable an area of Green Belt is, the more important it is that it should be retained on a permanent basis. Goodman has acknowledged how fragmented the Green Belt is in the Colnbrook area. They calculate that the existing “break” to the north at Richings Park is 650m that to the south of the A4 at Colnbrook is 100m (Planning Statement para. 3.9).
- 12.39 Goodman’s assessment of the nature of the Green Belt surrounding sites is map based. This means that no account appears to have been taken of the fact that a lot of development has taken place in areas zoned as Green Belt. Figure 6 of the Green Belt study does not for instance show how Terminal 5, the BAA Headquarters at Waterside Park, the BAA Logistics Centre and the Iver sewage works have all collectively reduced the amount of open land in the Green Belt between Slough and London.
- 12.40 It is considered therefore that the starting point for any comparative study of sites should be an assessment of the state and strategic importance of the Green Belt within which the sites are located and that any subsequent assessments of the characteristics of the individual sites should be weighted to take this into account.
- 12.41 This means that the acknowledged fragmentation and vulnerability of the Green Belt west of London in the Heathrow area and its role in preventing the outward expansion of London needs to be reflected in the alternative sites methodology and the assessment of individual sites weighted accordingly.
- 12.42 Apart from not taking this into account, the other main problem with the alternative sites study produced by Goodman is that much of the methodology focuses upon the visual quality of the sites but paragraph 1.7 of PPG2 makes it clear that the quality of the landscape is not relevant to the inclusion of land within a Green Belt or to its continued protection.
- 12.43 Another weakness of the methodology is that it assesses sites solely against the five purposes for including land in the Green Belt set out in PPG2 without giving any weight to the most important attribute of Green Belts which is their openness.
- 12.44 As explained above the SIFE site is a completely undeveloped semi rural area where any development would significantly affect the openness.
- 12.45 Finally the methodology gives equal weight to the five purposes for including land in the Green Belt even though some are not relevant in this case. None of the sites that have been assessed affect the setting and special character of a historic town and so it is not appropriate to try to assess them against this function of the Green Belt. None of the sites will assist in urban regeneration, by encouraging the recycling of derelict and other urban land and so it is not considered appropriate to assess them against this function of the Green Belt.
- 12.46 Even if it is accepted that the alternative sites should only be compared against the purposes of including land in the Green Belt sites it is not considered that the detailed

methodology devised by Goodman always uses the most appropriate test for measuring the impact of development.

- 12.47 One of the reasons for including land in the Green Belt is to check the unrestricted sprawl of large built up areas. The applicant's criteria for judging this function is the extent to which the sites have strong boundaries. It is considered that this is the wrong criteria to use because visual enclosure is not related to 'preventing unrestricted sprawl'. As a result the methodology should focus on the extent to which the site is built up and the extent to which it would result in sprawl rather than the extent to which it is enclosed.
- 12.48 Another reason for including land within the Green Belt is to assist in safeguarding the countryside from encroachment. Once again the applicant's detailed methodology concentrates too much on the presence of strong boundaries. It is considered that it should take account of the sites role within the countryside and the extent to which development would affect countryside uses such as the footpath network.
- 12.49 The other reason for including land within the Green Belt is to prevent neighbouring towns from merging into one another. The Secretary of State agreed with the Inspector that the Radlett development would not lead to the merging of neighbouring towns. The SIFE development could however result the potential merger of Slough with London which should be given much higher weight in the methodology particularly given the size and nature of the settlements involved.
- 12.50 It is recognised that any methodology can only give a broad indication of the relative merits of the sites and that no absolute conclusions should be drawn from scores. Nevertheless it is considered that when the sites are properly assessed against Green Belt policy it can be shown that the development of Colnbrook would have a greater impact than Radlett, mainly because it would lead to the coalescence of major settlements within a particularly vulnerable and fragmented area of Green Belt.
- 12.51 As a result the proposed development of SIFE would be inappropriate development in the Green Belt that would cause unacceptable harm to the Green Belt. It is not considered that there are any very special circumstances which overcome the strong presumption against development in the Green Belt set out in PPG2.
- 12.52 Even if it is accepted that the need for Strategic Rail Freight Interchanges within London and the South East could be very special circumstances that could allow development in the Green Belt, it is not considered that there is a need for the development of SIFE because this regional need could be met elsewhere, at sites like Radlett, in a way that would cause less harm to the Green Belt.

Other Issues relating to alternative sites

- 12.53 It should be noted that in addition to being considered to be a better site in Green Belt terms, the Radlett site also a better site compared to Colnbrook in terms of other key factors such as the Strategic Gap, Colne Valley Park, air quality and road and rail access. These are discussed in more detail below but can be summarised as follows.
- 12.54 SIFE is within a Strategic Gap between Slough and Greater London which is recognised within the Spatial Strategy and other parts of the Core Strategy. As a result there is an

exceptionally strong policy restraint against development in this area. The Radlett site has no such designation and no such policy restraint.

- 12.55 SIFE is within the Colne Valley Regional Park which is recognised in the South East Plan as well as within Local Authority plans. Radlett has no similar designation. The Inspector who held the second inquiry at Radlett recognised that the Colne Valley Regional Park was “another policy designation which weighs against Colnbrook in the comparison exercise with Radlett”.
- 12.56 SIFE is also in an air quality hot spot and is surrounded by four AQMAs. The additional traffic would have an impact upon a significant amount of population. Whilst the Radlett site is close to two AQMAs the traffic from the site would only directly affect a handful of properties.
- 12.57 In addition, in comparing Radlett with Colnbrook the Secretary of State took account of the possible benefits that the two developments could provide. When the actual benefits proposed at SIFE are compared with those proposed at Radlett it is clear that the latter would provide significantly more benefits in the form of new Country Parks and a new bypass.
- 12.58 Radlett is better located than SIFE in rail terms with regards to access to the main ports. It is closer to Felixstowe and the Channel tunnel in rail miles. Whilst SIFE may be geographically closer to Southampton, trains from this direction are not able to access it directly.
- 12.59 Finally, the proposed 330,000m² development at Radlett is much bigger than the 190,000m² scheme at SIFE. This means that it is much more likely to operate as a SRFI because it is more likely to reach the critical mass that is needed to provide the sort of rail services that would be attractive to the warehouse operators.
- 12.60 All of these issues are explained in detail elsewhere in this report but it can be demonstrated that both in Green Belt and all of these other important grounds, Radlett is a better alternative site for development than SIFE.

13.0 **Strategic Gap**

- 13.1 As explained above, in addition to being in the Green Belt, the SIFE site is also in the Strategic Gap between Slough and Greater London
- 13.2 The purpose of this gap is to retain a clear visual separation between the Metropolitan conurbation and Slough in order to maintain the separate identity of Slough.
- 13.3 The Strategic Gap consists of the undeveloped areas of Colnbrook and Poyle which are already designated as part of the Metropolitan Green Belt. The purpose of designating this area as a Strategic Gap is to add an extra layer of policy restraint to development in this area. This is explained in paragraph 7.26 of the Core Strategy which states:
The remaining open land in Colnbrook and Poyle, east of Langley/Brands Hill, is particularly important because it forms part of the Colne Valley Park and acts as the strategic gap between the eastern edge of Slough and Greater London. Additional restraint will therefore be applied to this fragmented and vulnerable

part of the Green Belt which will mean that only essential development that cannot take place elsewhere will be permitted in this location.

13.4 The Strategic Gap policy has formed an important part of the Local Plan for Slough (2004) and LDF Core Strategy (2008).

13.5 Local Plan Policy CG9 (Strategic Gap) of the adopted Local Plan for Slough (2004) states:

Any proposal which threatens the clear separation or the role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted.

13.6 A draft version of this policy as set out in the Deposit Draft of the Review of the Local Plan for Slough (1999) was used for determining the London Intermodal Freight Exchange (LIFE) application which was refused by the Secretary of State in 2002. It was also a key factor used in all of the work that took place in the preparation of the Local Plan to determine which sites Slough should be released from the Green Belt for housing. Paragraph 2.24 explains that the site selection process used :

“the guiding principle that there should not be any development in the strategic gap between Slough and Greater London or in the Colne Valley Park”.

13.7 This policy was saved by the Secretary of State in September 2007 and so still forms part of the Development Plan for Slough.

13.8 The concept of the Strategic Gap was strengthened in the Slough Core Strategy. The preferred spatial strategy, which emerged from the consultation on the Issues and Options report, is summarised in paragraph 7.6 of the adopted Core Strategy (2008) as one of *“concentrating development but spreading the benefits to help build local communities”*. The Strategic Gap is an important tool for implementing this strategy.

13.9 Part of Core Policy 1 (Spatial Strategy) of the adopted Core Strategy states:

All development will take place within the built up area, predominantly on previously developed land, unless there are very special circumstances that would justify the use of Green Belt Land. A strategic gap will be maintained between Slough and Greater London.

13.10 Core Policy 2 (Green Belt and Open Space) explains how this will be achieved in that it states:

Development will only be permitted in the Strategic gap between Slough and Greater London and the open areas of the Colne Valley Park if it is essential to be in that location.

13.11 Paragraph 7.32 of the Core Strategy explains:

The implementation of this policy in conjunction with the Spatial Strategy will mean that there should be very little development in the Colnbrook and Poyle area apart from possible regeneration of the Poyle Trading Estate. The only exception will be any development that is allowed as a result of the Minerals and

Waste Local Development Framework, which is being prepared separately as a joint document by the six Berkshire unitary authorities.

- 13.12 This exceptionally strong policy objection to development within the Strategic Gap was tested at the Core Strategy Examination and approved by the Inspector.
- 13.13 As a result it can be seen that in order to comply with Core Policy 2 any proposed development within the Green Belt and Strategic Gap in Slough has to meet two separate tests.
- 13.14 Firstly it has to demonstrate that there are “very special circumstances” which override the general presumption against inappropriate development in the Green Belt set out in PPG2 (Green Belts). Secondly, in order to be acceptable in the Strategic Gap any development has to demonstrate that it is “essential to be in that location” in order to comply with Core Policy 2 (Green Belt and Open Space) of the adopted Core Strategy.
- 13.15 This “sequential test” is deliberately a far higher hurdle than simply the “very special circumstances” requirement of Green Belt policy.
- 13.16 The Strategic Gap policy is therefore intended to add additional restraint to development within it, compared to other Green Belt locations, because development here would cause more harm than in other areas where there is no danger of coalescence or where the coalescence would not be between such important settlements.
- 13.17 The development of the three huge warehouses with all of the associated infrastructure and traffic will have a significant impact upon the area. The Secretary of State for the LIFE application came to the following conclusion:

The Secretary of State agrees with the Inspector that even allowing for the proposals for boundary bunds and planting the LIFE development would be far from invisible and accepts the Inspector’s view that the development would be perceived as a large-scale urban intrusion, partly screened by artificial embankments.

- 13.18 This shows that the impact is not just about how much of the development can be seen but also about the fact that people will know it is there. Goodman have stated that SIFE is not in as sensitive or vulnerable location as the parts of the strategic gap to the north and south. They point out that to the south of the A4, Brands Hill, Colnbrook and Poyle have only brief breaks (100m) along the connecting road into Greater London. To the north the break between Slough and Richings Park is 650m with no physical or logical landscape barriers to limit development.
- 13.19 This does not, however, reduce the importance of the application site for preserving the gap, particularly in terms of perception because it will be seen by people travelling along the A4 and M4 motorway.

In his decision letter on LIFE the Secretary of State noted:

Seen from elevated viewpoints east of the M25 the function of the open land to the west in helping to demarcate and separate London from Slough was clear to the Inspector (IR 13.114). The Secretary of State agrees with the Inspector that

the effects of the LIFE development would be very considerable. Bunds and planting could help hide parts of the development, or soften its visual impact, but because of the topography only partial screening could be achieved.

- 13.20 As a result the SIFE development will also create the impression of filling of the gap between London and Slough for the vast majority of people travelling between the two places.
- 13.21 Goodman has also argued that SIFE won't have the same impact as LIFE because the gap between it and Brands Hill will be increased from 300 to 800m.
- 13.22 It is not considered that this is particularly significant because this will be seen more as an "internal" break within Slough rather than the gap between Slough and London.
- 13.23 The scale of the harm that will be caused by the development of SIFE is magnified by the size of the settlements involved, in that it will significantly contribute to the coalescence of London with Slough which is a town of around 120,000 people and one of the largest settlements in the Metropolitan Green Belt.
- 13.24 Before this can be allowed the development not only has to meet an alternative sites test that would be applied to development elsewhere in the Green Belt but comply with the "sequential test" which states that development will only be permitted in the Strategic gap between Slough and Greater London if it is essential to be in that location.
- 13.25 Since there is not a local need for a SRFI to serve the Slough area, it is not essential to be in this location. Any need that does arise is of a regional or sub regional nature and so can be met there without causing harm to the strategic objective of stopping the outward expansion of London and its coalescence with a major settlement.
- 13.26 It is considered that the site at Radlett is a better location for any SRFI that is needed to serve this part of the region on the grounds that it is not in a Strategic Gap and would not result in the coalescence of any major settlements.
- 13.27 As a result it is considered the proposed development of SIFE is contrary to the Strategic Gap Policy in that it would significantly reduce the gap between Greater London and Slough and therefore compromise the separate identity of Slough contrary to the Spatial Strategy set out in Core Policy 1. It also fails to meet the sequential test set out in Core Policy 2 in that any need for the development to serve this part of the region could be met at Radlett and so it is not essential to be in Colnbrook within the Strategic Gap.

14.0 **Colne Valley Park**

- 14.1 In addition to being in the Green Belt and the Strategic Gap, SIFE is also in the Colne Valley Regional Park (the Park). The Slough Core Strategy strengthened the protection of the Colne Valley Park by applying the same "sequential test" as is applied to the Strategic Gap. Part of Core Policy 2 (Green Belt and Open Spaces) therefore states:

Development will only be permitted in the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park if it is

essential to be in that location.

- 14.2 As a result in order to comply with Core Policy 2 any proposed development within the Colne Valley Park also has to demonstrate that it is “*essential to be in that location*”. This is deliberately a far higher hurdle than simply the “very special circumstances” requirement of Green Belt policy. Just like the Strategic Gap policy, the Colne Valley Park policy is intended to add additional restraint to development within it, because of its strategic importance.
- 14.3 The Colne Valley Park (the Park) was established in the late 1960’s, and covers 43 square miles of Green Belt to the West of London that runs in a band from Staines and Egham in the South to Rickmansworth in the North. It contains six Country Parks, seven Local Nature Reserves, 13 Sites of Special Scientific Interest (SSSIs), and over 270km of public rights of way. The landscape varies from farmland to woodland and water, with 200 miles of river and canal and over 60 lakes.
- 14.4 The Colne Valley Regional Park Action Plan 2009-2012 has as series of objectives based on 5 key aims for the Park:
- To maintain and enhance the landscape, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity
 - To resist urbanisation of the Colne Valley Park and to safeguard existing areas of countryside from inappropriate development
 - To conserve the biodiversity resources of the Park through the protection and management of its diverse plant and animal species, habitats and geological features
 - To provide opportunities for countryside recreation including appropriate accessible facilities
 - To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of the countryside.
- 14.5 The Regional Spatial Strategy (South East Plan) describes the Park as ‘the first significant area of countryside to the west of London’. Policy WCBV5 sets out the agreed main aims of the Colne Valley Park, and requires “**local authorities will work together with other agencies in pursuance of the agreed aims of the Colne Valley Park**”.
- 14.6 Its strategic value was confirmed by the Inspector who held the second inquiry at Radlett who noted the Colne Valley Regional Park was “another policy designation which weighs against Colnbrook in the comparison exercise with Radlett”.
- 14.7 The Park’s location adjoining London and its linear nature mean it is under constant pressure for development. The site’s designation as Strategic Gap, Green Belt and Colne Valley Park is recognition of the fundamental importance of retaining the site as open land, both for Slough Borough Council and the integrity of the Colne Valley Park.
- 14.8 The loss of open land here would sever a vital link in the central part of the Park removing its spatial continuity as it runs from north to south, and fragmenting the remaining parts of the land that will remain on the east and west of the proposal site.

- 14.9 The importance of keeping the site open is acknowledged in CG1 of the Slough Local Plan which states,
‘Proposals for development within the countryside or other open areas in the Colne Valley Park will not be permitted unless they:
a) maintain and enhance the landscape and waterscape of the park in terms of its scenic and conservation value and its overall amenity;
b) resist urbanisation of existing areas of countryside;
 ...
- 14.10 The character of the land as open countryside was recognised by the Secretary of State in the previous LIFE Inquiry who in refusing the application stated:
“The Secretary of State, like the Inspector, considers that the LIFE site is part of the countryside and agrees with the Inspector’s description of the site as having a semi-rural character, some parts being more rural than others (IR 13.108). [He also agrees with the Inspector that it was wrong to describe it as “degraded” (IR 13.109), except for the RMC landfill site and a few other small areas].”
- 14.11 The Secretary of State also recognised that the urbanisation of this area would be particularly significant because this is the narrowest part of the Park. Paragraph 5 of his decision letter on LIFE stated:
“The Inspector took into account that the site was in the Colne Valley Park. Although he recognised that this was not a “park” in the conventional sense, it was an area where the local authorities aimed to improve the amenity value of undeveloped parts, resisting urbanisation and enhancing leisure pursuits. While some parts are retained and the LIFE proposals include its own proposals for parkland areas the Inspector considered that the proposal would involve urbanisation of one of the narrowest sections (IR 13.122). Again the Secretary of State agrees with this view.”
- As a result, despite proposing a public recreational area, the LIFE application was refused.
- 14.12 The SIFE site has therefore been recognised as a substantial area of open countryside within the narrowest part of the Colne Valley Regional Park which has an important role meeting one of the aims of the Park, which is to resist its urbanisation.
- 14.13 The SIFE site also contributes to the Colne Valley Park by providing for opportunities for countryside recreation and forms part of the strategic footpath network that runs through the Park. It also has ecological value in that will be lost as a result of the development.
- 14.14 To address these issues the applicant’s have produced a Landscape and Green Infrastructure Strategy which proposes eleven Action Areas around the edge of the built development to provide screening, Public Right of Way diversions, habitat mitigation and drainage systems.
- 14.15 It should be noted that other Strategic Rail freight interchanges, such as Radlett and the former LIFE application have proposed dedicated areas of open space adjoining the developments as compensation. In the case of LIFE this included an equipped recreation area. The scale of provision within SIFE is limited to a small strip to the east of the site including Old Wood and Horton Brook. As a result it is mainly reliant upon off-

site mitigation measures seek to address this issue.

Public Rights of Way

14.16 The SIFE site and land adjoining it contains several Public Rights of Way (PRoW). The main routes are the Colne Valley trail (BR6), which also forms part of the route of the Slough Linear Park, that runs north to south on the east of the site adjoining the lakes. A second footpath and bridleway (FP2b, BR2a) runs through the centre of the site, although the path is not clearly delineated because the entire field is used. A third at present unregistered route runs further along the north of the site through Old Wood. All three link to a pedestrian footbridge over the M4, which horse riders also use to connect them to the Colne Valley Trail to the north.

14.17 The applicant is under a duty to retain public rights of way provision on the site and comply with Saved Local Plan Policy T7 which states

Planning permission will not be granted for developments which affect an existing right of way unless the proposal maintains the right of way to an appropriate standard or makes provision for its diversion along a route which is at least as attractive, safe and convenient for public use. An enhancement of the right of way network will be sought where this is needed as a result of new development.

14.18 The proposals create approximately 6.4km of new or upgraded routes. This includes diverting the existing through-field route through Old Wood and down the western edge of the development alongside Horton Brook. The proposals also include improved signage and new interpretation boards to raise awareness of the local habitats and the Colne Valley Park.

14.19 The applicant is proposing new surfacing and a natural and engineered 'landscaped setting'. This is welcomed, but the Council considers that the 'landscaping' measures proposed are partly essential screening of the development. Due to the scale of the proposal on the site, the replacement routes are likely to appear as corridors with unavoidable views of the development. The scale of warehouses, which will be up to 18m high, and gantry cranes, which will be 25m tall, means the development will still be visible, even after landscaping has matured, as acknowledged in the Environmental Statement. Users of the paths will also be subject to disturbance from operational noise distinct from that of the M4 and Heathrow.

14.20 Whilst it is acknowledged that some buildings within LIFE would have been taller, this general principle was supported by the Secretary of State in his decision letter which stated,

The Secretary of State agrees with the Inspector that even allowing for the proposals for boundary bunds and planting the LIFE development would be far from invisible and accepts the Inspector's view that the development would be perceived as a large-scale urban intrusion, partly screened by artificial embankments.

14.21 The setting of the bridleway will be affected by the diversion of the circular route, particularly where it has to cross the rail sidings at the north of the site and the site's

road access at the south, and run in a bund-enclosed corridor adjacent to the A4. Routes past the lakes will also have their views affected by the presence and use of new rail infrastructure.

- 14.22 This issue was considered by the Secretary of State following the previous inquiry into the proposed LIFE development. Paragraph 10 of the decision letter states:
“The Secretary of State agrees with the Inspector that the visual impact of the development when perceived from public rights of way across the LIFE site itself had not been fully recognised. Some of the proposed buildings in the central part would be about 28 metres high and about 400 metres in length. The Inspector considered (IR 13.115) that adjectives such as “huge” or “massive” to describe the effect of the development in this instance were apt and walkers in the area would have the feeling of walking around an industrial park rather than a rural or semi rural area.”
- 14.23 It is therefore considered that the duties regarding public right of way have been met. However impact of the proposal on the landscape and amenity value of the footpaths cannot be mitigated for by the screening and boundary treatments proposed in the Landscape and Green Infrastructure Strategy.
- 14.24 The loss of amenity is particularly significant for the Colne Valley Trail. This is the main route that runs 10.5miles north to south down the spine of the Colne Valley Park from Rickmansworth to the A4 at Colnbrook. At present the Trail runs through an open landscape along the Colne Brook at the eastern boundary of the site, with views to the lakes to the east, and countryside to the west and areas for angling by the lakes.
- 14.25 To the south of the A4 the trail becomes the Colne Valley Way which extends through the rest of the Colne Valley Regional Park. The Colne Valley Partnership has ambitions to improve the Colne Valley Way to a standard suitable for horses and cyclists as well as pedestrians and re-brand it as the Colne Valley Trail.
- 14.26 The CVP Partnership considers, however, that the impact of SIFE on the amenities of this part of the trail will make it hard to promote it as a regionally attractive route for residents of West London, Slough and surrounding areas. As a result in its objections the Partnership has stated that the proposed off-site mitigation should include the development of a replacement route for the Colne Valley Trail to the east alongside the River Colne and Wraysbury River through Harmondsworth Moor in order to help to retain the rural aspect of the main route of the Colne Valley Trail. The Partnership then proposes retaining the current route of the Colne Valley Trail as a link for Colnbrook residents and improving connections to this to the north of the site and to the south to provide a direct link into Colnbrook.
- 14.27 Whilst the Council shares the Colne Valley Park Partnership’s concerns about the impact of SIFE upon the Colne Valley Trail and agrees that it will greatly reduce its amenity value, it does not support the idea of diverting it away from Slough and downgrading the existing route.
- 14.28 The proposed diversion has not been included in the list of mitigation measures that are to be paid for by SIFE and it is not considered that this would be a good use of resources. In addition it is not clear that the proposed diversion would be feasible since

the route would need to divert under the M25 and cross through residential areas. There are also potential land ownership issues which would make it hard to deliver and since it would have to pass through an urbanised area to get to Harmondsworth Moor it is not clear that it would have a greater amenity value.

- 14.29 As a result it is not considered that the harm cause by SIFE to the Colne Valley Trail/Way and its important role as an attractive regional link throughout the Park can be mitigated.
- 14.30 In addition to providing access to the countryside, the footpaths and bridleways on site provide connections to the Colne Valley Way which continues to Horton to the south or Thorney Park in the North, Sustrans route 61 that runs from London onto Maidenhead, and Slough Linear Park that connects to the Jubilee River in the West. Impacts on the attractiveness of the routes across the SIFE site impact on the quality of these routes overall.
- 14.31 The Linear Park and National Cycle Route 61 follow the Colne Valley Way along the eastern boundary of the SIFE site through Colnbrook. They are of regional and borough importance with their use promoted by bodies including Sustrans and the Slough Rights of Way Action Plan.
- 14.32 The route of the Linear Park is described in paragraph 7.10 of the Slough Local Plan as:
'a linear park based on the [route of the Jubilee] river... extending eastwards through Upton Court Park, Ditton Park, and around the Queen Mother Reservoir to the area of the Colne Valley Park north of the Colnbrook By-Pass; here it will follow the recently upgraded right of way alongside the Colne Brook and Old Slade Lake to the M4 where it will join the rights of way network in Buckinghamshire....The linear park will be a valuable recreational resource which will enable local residents to become regular users of the countryside without having to travel far from home. New pedestrian and cycle routes will be sought as part of any development alongside the route to link into the linear park.
- 14.33 Much of the Linear Park has now been implemented but the impact of SIFE on the amenity of the route conflicts with Slough Local Plan Policy CG2 (Linear Park) which promotes and protects the park and states :
- The establishment of a Linear park with shared use path for pedestrians and cyclists from the western to the eastern boundary of the borough, as shown on the Proposals Map, will be supported. Development proposals which would prejudice the route or detract from users' enjoyment will not be permitted. Improved access to the Linear Park, and landscape enhancement measures, will be sought from any development proposals adjacent to the route.**
- 14.34 In addition to the Public Rights of Way an undesignated path currently runs through Old Wood Non Statutory Informal Nature Reserve. The applicant proposes to upgrade and adopt this route as part of the diversion of the two PRoW that run through the site. An alternative route around the outside of old Wood will also be provided. These measures are supported provided the mitigation measures included in the ecology section below are delivered.

14.35 It should be noted in determining the Radlett application the Secretary of State assumed that:

“an SRFI at Colnbrook could, in common with the Radlett proposal, offer other benefits which in the case of Colnbrook would be opportunities for improvements to the footpath and bridleway network, biodiversity and landscape”

In effect it is considered that the SIFE proposal will have a negative impact upon the existing footpath and bridleway network by reducing the visual amenity and attractiveness of the Colne Valley Trail. This in turn will undermine two of the key aims of the Colne Valley Park which are to maintain and enhance the landscape, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity and to provide opportunities for countryside recreation including appropriate accessible facilities.

Impact on Ecology

- 14.36 Another key aim of the Colne Valley Park is to conserve the biodiversity resources of the Park through the protection and management of its diverse plant and animal species, habitats and geological features.
- 14.37 The duty for Local Authorities to consider biodiversity in planning decision making is also set out in PPS1, PPG9, and more recently the Natural Environment and Rural Communities (NERC) Act 2006.
- 14.38 Habitats and species most at risk are identified in the following, these also require the implementation of measures to secure their conservation:
- The UK Biodiversity Action Plan (UK BAP): This is as a result of an international treaty that became law in the UK in 1993.
 - The Conservation of Habitats and Species Regulations (2010) (the Habitat Regulations): this enacts a European directive
 - The Wildlife and Countryside Act (1985) : this enacts a European directive
 - Birds of Conservation Concern (BoCC): A list of bird species at risk in the UK
- 14.39 These are applied in Slough through Core Strategy Policy 9 which states (extracts)
- Development will not be permitted unless it**
- **Protects and enhances the water environment and its margins**
 - **Enhances and preserves natural habitats and the biodiversity of the Borough including corridors between biodiversity rich features ...**
- 14.40 The applicant has assessed the impact that SIFE will have on ecology during both the construction and operation phases, and as required by legislation sought to provide measures to avoid, reduce, mitigate or compensate for impacts caused by the proposal.
- 14.41 The assessment concluded that a number of diverse habitats and species currently on and around the site will be permanently lost or displaced. This includes some protected by legislation for their local or county value because of their scale or quality.
- 14.42 The most vulnerable *habitats* are Old Wood former Wildlife Heritage Site and associated mature woodland, lakes including Old Slade Lake Local Wildlife Site and areas of open

water and the Colne Brook and associated vegetation. The scale of loss of various grassland habitats is also of note.

- 14.43 Regional or national *species* requiring protection within or adjacent to the Assessment Site boundary include:
- Overwintering birds: 21 'notable' (protected) species, including those appearing on lists relating to the Habitats Regulations and Wildlife and Countryside Act
 - Breeding birds: 9 species including UK BAP priority species and those appearing on lists relating to the to the Habitats Regulations and Wildlife and Countryside Act
 - The 'invertebrate assemblage' associated with Old Slade Lake classed as being of regional importance with nine nationally scarce species recorded as present.
 - Slow Worms, Grass Snakes and Bats
- 14.44 In order to mitigate against this it is proposed to:
- Create new habitats including areas of native trees, shrubs, marginal vegetation, wet grassland and species rich grassland, and eradicate Japanese knotweed
 - Agree a Construction Environmental Management Plan to meet the legal requirements to protect ecology and species on site.
 - Agree a management plan which will be implemented during operation and in perpetuity to ensure that the value of the Assessment Site is retained and enhanced in the long term, including conservation and enhancement of Old Wood.
 - Buffer Old Wood with native scrub and woodland species, and the creation of neutral grassland
 - Enhancement of the Colne Brook including vegetation management
 - Buffer planting between Colne Brook and the proposed development.
- 14.45 Old Wood is an area of ancient woodland of approximately 5ha in size to the north west of the site in the applicant's ownership. The applicant is proposing to create a bridleway through the site, providing active management to restore the site's biodiversity value, provide interpretation measures and control access to allow horses but prevent damage from use by scrambler bikes.
- 14.46 The Council supports the applicant's proposals and would require measures to give priority to the status of the site as ancient woodland (as per PPS9 and other guidance) including for path treatment and surfacing (required by Natural England) and protect the remnants of the bridge and old Lodge in keeping with Core Policy 9. The provision of the sister public right of way route around the woodland is also supported as part of these measures.
- 14.47 The construction of the new rail link and embankment will result in the loss and reconstruction of the north bank of Old Slade Lake Wildlife Heritage Site. This forms part of Old Slade Lake, Orlits Lake and Colnbrook West Non-statutory informal nature reserve, and Site Allocations DPD (site SSA25). That aims to enhance their value and create a long term nature reserve with some public access.

- 14.48 The Site Allocations document states:
“Their location in the Colne Valley Regional Park but close to intense urban activity means they are a valuable wildlife haven and wildlife link between the north and south parts of the Park. The expanse of open water is unusual in Slough and can bring in bird life not otherwise seen’
- 14.49 The lakes are important for the nationally important levels of overwintering birds using the site that also use the South West London Water Bodies Special Protection Area (SPA) and Ramsar Site, and which are protected under the Habitats Regulations 2010.
- 14.50 Regarding these species, Natural England and the RSPB have expressed they have no outstanding objections to the proposal provided the planting and management measures committed to are implemented. This includes the provision of buffers or boundary treatment to screen the development, the use of silt blankets to protect the water quality of the lakes, and operational noise measures and construction timings to avoid disturbance to birds. This can be enforced through conditions or in a legal agreement.
- 14.51 There are, however, some significant local effects which the Environmental Assessment recognises cannot be mitigated, and to which BBOWT, CPRE and Spelthorne Council have raised concern. These include the loss of the improved grassland as a resource for UKBAP and red list species (skylark, meadow pipit and herring gull) and also for other gull species associated with Colnbrook Landfill in the amber list of Birds of Conservation Concern (BoCC Species).
- 14.52 The number and genetic diversity of species habitat’s support takes time to evolve and new habitats do not immediately or necessarily replace the complexity and diversity of flora and fauna on those that are lost, for example veteran trees and old hedgerows. In addition smaller sites may not support the population levels necessary to be resilient to change. The assessment fails to quantify the time it would take to re-establish the quality or scale of the habitats lost on new areas, or the potential they have to increase in biodiversity value over time.
- 14.53 Nevertheless the Council will ensure the mitigation and compensation measures committed to are delivered in accordance with its requirements. This will include a long term management plan that addresses all the land around the site in the applicant’s ownership, including Colnbrook West Lake and Old Wood. Species of regional value will need protecting through measures to be agreed in discussion with Natural England, BBOWT and the RSPB.

Off-Site Mitigation

- 14.54 Should the development go ahead a significant amount of off-site mitigation will have to be provided. Part of Local Plan Policy CG1 (Colne Valley Park) states:

Where development is permitted within the built up area of the Colne Valley Park, which would have a significant visual impact on the Park, appropriate mitigation measures to realise the aims and objectives of the Colne Valley Strategy will be sought by agreement and/or required by conditions.

- 14.55 As a result, although it remains firmly opposed to SIFE, the Council has, in conjunction with the Colne Valley Partnership and adjoining authorities, sought to negotiate a package of measures which will help to mitigate the effects of the development should it go ahead.
- 14.56 The proposed measures are intended to reflect the multifunctional and regional role of the Colne Valley Park, and the importance of improving access to the surrounding countryside as set out in the Core Strategy, and the latest Colne Valley Park Action Plan. This approach is consistent with the approach taken by the Secretary of State in his comparison of SIFE with Radlett set out previously.
- 14.57 In line with Policy CG1 mitigation and compensation measures were proposed that (i) prioritise those local communities impacted by the development (ii) compensate for the impact on the Regional Park (for recreation and biodiversity) through projects that could be delivered by the Park Partnership, via Groundwork trust, and (iii) have an effective balance between capital and management.
- 14.58 Communities considered to be most directly affected by the development were those in Brands Hill, Colnbrook, Poyle and Richings Park. Compensation for the impact on the Regional Park was discussed with Groundwork trust.
- 14.59 As a result the applicant has included within the Landscape and Green Infrastructure Strategy a revised schedule of off site landscape, footpath/bridleway and biodiversity enhancement measures to deliver £675,000 mitigation for the proposed development
- 14.60 This figure excludes £350,000 contained in the Highways schedule for a cycle route along the A4 between SIFE and Brands Hill, pedestrian and cycle crossing of the A4, and improvements to the public right of way from the A4 crossing to Mill Street.
- 14.61 These measures will require the co-operation and ongoing involvement of many bodies, including adjoining authorities and neighbouring owners such as Grundon and Biffa. The package therefore also has sufficient flexibility to allow for money to be invested in alternatives if necessary.
- 14.62 The draft schedule includes
- Improving the Colne Valley Trail and Public Rights of Way links to the north to Richings Park, Thorney Park and West Drayton including upgrading the M4 overbridge to bridleway standard.
 - Creating a consistent surfacing of the Colne Valley Trail on-site and along the section of Trail adjoining Thames Water Sewerage works.
 - Improving the Colne Valley Way to south to National Cycle Route 61, the Queen Mother Reservoir, Linear Park and Arthur Jacobs Nature Reserve.
 - Contribution to possible provision of new Linear Park route around the north of Queen Mother reservoir
 - Funding for promotional material for the Colne Valley Trail (*the applicant considers this should be primarily for the SIFE site, but the CVP considers this should also be to promote alternatives*).
 - Possible gifting of land surplus to rail infrastructure requirements (to the north of the site) for biodiversity, with management endowment (*the biodiversity potential of this land is uncertain, and its location prevents public access but the CVP have*

expressed an interest in it being gifted to them).

- Biodiversity improvements to Crown Meadow, Pippins Park and option for others including Arthur Jacob Nature Reserve/Poyle Poplars Community Woodland, Maybey's Meadow/ Fray's Island.
- Annual contribution to the Colne Valley Park Partnership for 10 years.
- Improvements to Colnbrook West waterbody (*as this site is owned by Goodman the Council has requested it is included in the on-site mitigation and Landscape Management Plan*).
- A feasibility study to consider in detail the package and maintenance of measures proposed.

14.63 The implementation of this package of measures would have to be subject to more detailed discussion, when necessary, in order to ensure that

- (i) the area of the landscape management plan was clearly defined and included all land in the applicant's ownership, including Colnbrook West waterbody, and included funds for maintenance in perpetuity.
- (ii) A feasibility study involved the relevant organisations with Slough Borough Council as the final decision maker, including regarding the distribution of money to Colne Valley Park and neighbouring authorities.
- (iii) That funds given to the Colne Valley Partnership came with an additional 5% administrative budget.

14.64 The Colne Valley Partnership have expressed they would require some additional measures to address their concerns about the impact on the Park. It is considered the feasibility study can provide the opportunity for the Partnership to discuss these.

14.65 It is considered that the proposed package of measures is in line with Circular 05/05 in that they are commensurate with the scale of the development proposed and consequential impacts. They are designed to provide maximum benefit for residents and other users of the Park, and have a clear prospect of being implemented because, for example, they are within the remit of the Colne Valley Park Partnership.

14.66 Overall conclusion for the Colne Valley Park

It is considered that the development of SIFE will have a significant detrimental impact upon the Colne Valley Park as a result of the urbanisation of the open countryside in the narrowest part of the site. It will also seriously reduce the amenity and attractiveness of the Colne Valley Trail which forms an integral part of the Park.

There will be a loss of opportunities for countryside recreation on the site.

There will also be a substantial loss of habitats and species recognised as of local and district value for nature conservation in the UK Biodiversity Action Plan and in highest need of conservation on the UK Birds of Conservation Concern list.

Whilst the proposed package of mitigation measures is welcomed they cannot compensate for the overall impact upon the Park.

It is not considered that it is essential for SIFE to be located in the Colne Valley Regional Park and so, given the demonstrable harm to the Park, it is considered that the

application should be refused.

15.0 **Traffic and Highways**

- 15.1 The proposed development site is bounded by the M4 motorway to the north and A4 Colnbrook Bypass to the south. It is proposed to access the site from the A4 Colnbrook Bypass which is a wide single carriageway classified as a principal road within the Borough. The A4 provides a direct link to the M4 motorway at Junction 5, approximately 1.4 km to the west of the development site. Traffic conditions on the A4 are variable; however congestion is known to occur, particularly on the section between Sutton Lane and the M4 during peak traffic periods. Similarly Junction 5 of the M4 experiences congestion during peak periods, with queuing on approaches to the junction and M4 off-slips.
- 15.2 Whilst the majority of traffic from SIFE is predicted to go west onto the M4, vehicles wishing to go south onto the M25 will go eastwards passing through the A3113 Airport Way/A3044 Stanwell Moor Roundabout which is already operating at capacity during peak hours.
- 15.3 The application also has to be considered against the background of the Slough Local Transport Review 2008 Progress Review which sets out the five point action plan for providing better access to jobs at Heathrow which is based upon supporting and enhancing the bus service that goes along the A4.
- 15.4 Core Policy 7(Transport) in the Core Strategy also states:

Development proposals will also have to make contributions to or provision for :

- **The improvement of key transport corridors such as the links to Heathrow Airport;**

- 15.5 In order to accommodate the additional traffic the applicants are proposing to carry out a number of highway improvements. This will include widening the A4 through Brands Hill to three lanes with the intension of eventually making it four lanes.
- 15.6 It is also intended to widen the A4 Colnbrook bypass to provide a footpath cycleway along the northern side.
- 15.7 It should be noted that in considering the Radlett application the Secretary of State agreed with the Inspector that there would not be any significant harm in relation to highway issues. This was partly because the development was proposing to build a new bypass around Park Street and Frogmore which the Secretary of State agreed would be one of the benefits of the scheme.
- 15.8 The impact of the projected additional traffic from SIFE and benefits of the proposed mitigation measures are considered in detail below.

Trip Generation

- 15.9 Although the application is for a Strategic Rail Freight Interchange there will be a large

amount of road traffic generated since it is estimated that even when it is fully operational only 25% of inbound goods will be transported by rail and no outbound goods will go by rail.

- 15.10 The Transport Assessment submitted by the applicants show that there would be 1,615 HGV trips in and 1,615 trips out of SIFE on a typical weekday giving a total of 3,230 movements.
- 15.11 The Council's transport consultants have compared the HGV trip generation rates with other distribution centres and concluded that the figures used within the Transport Assessment are robust. Nevertheless it is recognised that the usage of the site may vary from the current prediction of a large retail occupier or occupiers. As a result, and in order to protect the highway network in the vicinity of the site from unexpected increases in traffic from the site, it is recommended that the HGV traffic to/from the site is capped.
- 15.12 It is assumed that all HGV's except those to/from M25 south will travel to or from M4 Junction 5 through Brands Hill.
- 15.13 The Transport Assessment submitted by the applicants show that there would be around 1,800 light vehicle trips in and out of SIFE on a typical weekday giving a total of 3,600 movements. The Council's transport consultants have also undertaken further assessments of the light vehicle trip generation rates within the TA and have raised concerns relating to the number of trips predicted to be generated during shift changeover times, particularly when 18% of total trips in and 21% of total trips out are predicted to occur during 1300-1500 hours. This has led to some changes to the design of the junction to improve its operation. It is therefore considered that reasonable measures are in place to mitigate the impact of light vehicle trip generation from the site.
- 15.14 The impact of this predicted increase in traffic has been modelled for the following junctions: The M4 Junction 5 with A4 London Road, A4 Colnbrook Bypass Sutton Lane Gyratory and A4 Colnbrook Bypass junction with Site Access in detail. A4 Colnbrook Bypass priority and signalised junction with Lakeside Road, A4 Colnbrook Bypass junction with A3044 Stanwell Moor Road, A3044 Stanwell Moor Road roundabout with Bath Road, A3044 Stanwell Moor Road roundabout junction with A3113 Airport Way and M25 Junction 14 with A3113 Airport Way .
- 15.15 The Council's Transport consultants raised a number of issues about the base modelling. The applicants have since provided revised base models based on observed signal timings for the M4 Junction 5 and Sutton Lane gyratory and these are considered to be a reasonable representation of existing conditions at these junctions.
- 15.16 When the amount of new traffic generated by SIFE is added to the predicted background flows the modelling shows that a number of junctions would be over capacity at 2014 and so mitigation measures are required in order to achieve nil detriment.
- 15.17 Junction 5 of the M4 is already operating very close to capacity at peak times, particularly in the evening and it is predicted that SIFE will result in the equivalent of a 5.1% increase in total flow of traffic through the junction in the two peak hours.

- 15.18 It is predicted that traffic from SIFE will increase the total flows through junction 14 of the M25 by the equivalent of 1.7% during the two peak hours.
- 15.19 The applicants estimate that the traffic from SIFE will increase the flows of traffic through the A3113 Airport Way/A3044 Stanwell Moor Roundabout by the equivalent of 2.0% during the two peak hours. The junction is however, already operating at capacity during these peak hours.
- 15.20 As a result it is proposed to carry out the following road and junction improvements.

M4 Junction 5 signalised roundabout with A4 London Road

- 15.21 The applicants proposed to make the following improvements to the junction.
- Construction of a 4th circulating lane on the north west side of the M4 J5 roundabout increasing capacity, subject to statutory undertakers equipment and agreement from the Highways Agency this will be incorporated into revised plans;
 - additional circulating lane on the south west quadrant of the roundabout
 - addition of a fourth lane to the M4 westbound off-slip for approximately 100 metres;
 - provision of a Vehicle Restraint System (VRS) on the roundabout to safeguard pedestrians and cyclists using the new facilities;
 - A4 Colnbrook Bypass entry realigned to provide queuing space for an additional five vehicles close to the stop line; and
 - Signals from the A4 (north-west) arm removed, and a segregated left turn lane provided from it to the M4 (eastbound).
- 15.22 There was some concern about queuing on the M4 eastbound off slip but the developer has agreed to fund additional widening to overcome this issue, subject to the Highways Agency agreeing to the changes.
- 15.23 The results of the modelling show that, with the proposed highway improvements, the M4 Junction 5 roundabout is predicted to operate fairly satisfactorily in 2020 with development at SIFE.

A4 London Road Brands Hill

- 15.24 In order to improve flows from the M4 eastbound along the A4 at Brands Hill it is proposed to add an extra carriageway and provide a new crossing. Detailed designs for this have been drawn up which show that this can be achieved mainly within the area of the existing highway.
- 15.25 The proposed improvements to the A4 and the M4 junction could still result in some excessive queuing on London Road westbound where in reality the actual queues may vary considerably from the modelled scenario. Following further discussions, the developer has agreed to fund an additional westbound lane to make the A4 a four lane carriageway through Brands Hill. This agreement is subject to the Council, as the Local Highway Authority, securing the necessary land in the verge north of the A4. Drawings of the agreed widening will be submitted prior to the committee meeting.

15.26 This part of the A4 is not currently subject to a road widening line and any proposal would have to be the subject of public consultation with residents who would be affected by moving the carriageway closer to their homes.

A4 Colnbrook Bypass

- 15.27 It is proposed that the capacity of the A4 Bypass through the following improvements.
- carriageway widening on A4 Colnbrook Bypass east of the Sutton Lane gyratory in an eastbound direction, to incorporate the existing lay-by, subject to statutory undertakes equipment;
 - two westbound lanes on approach to site access junction extended to prevent queuing back from the right turn into site access obstructing flow of traffic into site;
 - westbound bus lay-by on A4 Colnbrook bypass extend to allow two buses to use the stop at the same time;

A4 Colnbrook Bypass gyratory junction with Sutton Lane

15.28 The applicants have proposed the following changes to this junction.

- provision of a flare on A4 west for the left turn into Sutton Lane;
- provision of a short flare for the turn out of Sutton Lane;
- extend the distance with two lanes on the eastbound exit along the A4;
- signalise the A4 westbound entry and remove the parking bay on approach;
- minor widening of the westbound lanes through the junction; and

15.29 As a result of these improvements it is predicted that the Sutton Lane gyratory junction will operate within capacity in the future 2020 scenario in both the AM and PM peak hours.

15.30 In the AM Peak the junction modelling suggests that there would still be notable queuing on the A4 eastbound and Sutton Lane entries but this will be less than at present.

15.31 In the PM Peak there would be more queuing on the circulatory eastbound stop line within the gyratory as a result of the signalisation. However this is shown to be within available capacity.

15.32 To the west of this junction, the eastbound moving queue will be reduced as a result of the proposal to widen this part of the A4 to two lanes. The queuing back from the pedestrian crossing for eastbound traffic would be much reduced, especially now that the pedestrian crossing is being relocated to the east, which is closer to the pedestrian desire line.

15.33 The additional widening to make the A4 four lanes, which has now been agreed in principle, should mean that queuing back from M4 Junction 5 should no longer occur and thus vehicles will find it easier to egress from the London Road arm of the gyratory.

M25 Junction 14 signalised roundabout with A3113 Airport Way

- 15.34 Traffic from SIFE will increase the total flows through junction 14 of the M25 by the equivalent of 1.7% during the two peak hours.
- 15.35 As a result it is proposed to carry out the following works to the junction:
- Provision of a short length of three lanes on the exit to Airport Way with all three circulating lanes marked as available for the exit;
 - Re-marking the circulating carriageway at the exit to M25 North so that only the nearside lane is available to traffic wishing to exit the roundabout; and
 - providing a segregated left turn lane from Horton Road West to M25 north.
- 15.36 Improvements to this junction will be carried out in advance of the occupation of the second warehouse at SIFE.

A3044 Stanwell Moor Road signalised roundabout with A3113 Airport Way

- 15.37 The applicants estimate that the traffic from SIFE will increase the flows of traffic by the equivalent of 2.0% during the two peak hours. The junction is however, already operating at capacity during these peak hours.
- 15.38 As a result it is proposed to carry out the following junction improvements in advance of the occupation of any unit at SIFE.
- Provision of additional lane (about 70 metres in length) on the north exit to Stanwell Moor Road
 - Signals to allocate more green time to the entry from Airport Way.
- 15.39 The layout changes proposed at the junction are relatively minor but will improve the junction performance.

A4 Colnbrook Bypass signal junction with A3044 Stanwell Moor Road

- 15.40 It is proposed to make the following fairly minor changes to this junction.
- mark the two offside lanes on the A4 west for right turn traffic only;
 - mark the central lane on the A4 east for ahead and right turn traffic and set back the stop line;
 - reverse the pedestrian stagger on the central island on the A4 east;
 - mark the nearside lane on Stanwell Moor Road for ahead and right turn traffic; and
 - widen the exit to the A4 east to accommodate three lanes of turning traffic.
- 15.41 Transport for London has commented that these works need to be agreed between them and the developers prior to commencement on site. The works should be subject to agreement with TFL under section 278 under the Highways Act 1980. TFL may require an updated traffic model with up to date traffic data before we agree any changes to this junction and would need to accord with the latest TFL modelling guidelines.

A4 Site Entrance

- 15.42 A temporary site access junction on the A4 Colnbrook bypass will be constructed along with appropriate hard standing, parking areas and wheel washing facilities. This should ensure that we don't get the problem of parking on the A4 which happened with Grundons.
- 15.43 The developer has agreed to investigate the option of bringing material for the construction of the buildings in by rail in order to reduce the impact on the local road network.
- 15.44 The new development will have a signalised entry and exit about 475 metres west of the Colne Bridge, and an entry only slip road for HGV's only entering the site from the west , to be located about 50 metres west of the Colne Bridge
- 15.45 There were concerns about the design of the proposed new site access onto the A4 Colnbrook bypass particularly with regards to the blocking back that could occur for the main A4 movement from the turning traffic into the site at the staff shift changeover times. As a result detailed design changes were recommended for this junction in order to accommodate peak staff change over times. This involves extending the length of the two westbound lanes on approach to site access junction to prevent queuing back from the right turn into site access obstructing flow of traffic into site. These have been agreed by the applicant who will submit revised drawings prior to the committee meeting.

Other Measures

- 15.46 The proposed new crossing facilities and junctions are being implemented between M4 J5 and Lakeside Road, combined with increased traffic flows, mean that urban traffic control systems in the form of SCOOT and/or MOVA are needed to ensure that all the crossings and junctions work as effectively as possible and will contribute to reducing congestion and air pollution. The developer has agreed to this request and so this will be included in a Sec 106 agreement.
- 15.47 The applicants are also proposing a number of other measures to improve pedestrian and cycle movement in the area. These include:
- Providing at grade crossings at M4 J5 and removing the existing pedestrian overbridges and ramps;
 - Providing a Toucan crossing facility at Sutton Lane, site access and bridleway crossing point of A4;
 - Relocating the crossing point on the A4 London Road closer to Laburnum Grove which will aid pedestrians accessing the shops;
 - Providing a 3m wide footway/cycleway with 0.5m vegetation strip from Sutton Lane gyratory along the north side of the A4 Colnbrook bypass to Lakeside Road to the east;
 - Improving the footway/cycleway along the southern side of the A4 Colnbrook bypass along the length of the site;
 - The developer has agreed to provide a suitable horse crossing of the site access road and this will either be in form of a Pegasus crossing or an alternative facility which the public rights of way officer is in agreement with;

- Providing a new footway/cycleway link to Grampian Way from the new pedestrian/cycle crossing facilities at M4 J5; and
- Making a £100,000 contribution towards the upgrading of Mill Street between A4 Colnbrook bypass and Colnbrook village.

15.48 All of these will contribute towards improved accessibility for cyclists and pedestrians.

Public Transport

- 15.49 The SIFE site is served by bus services operating along the Colnbrook Bypass – First routes 75, 76, 77 and 78. These link various parts of Slough with Heathrow Central Bus Station, Terminal 5 and Heathrow Airport North. In addition, Transport for London’s route 81 operates between Hounslow and Slough via Colnbrook village.
- 15.50 The Travel Plan identifies that many people currently employed in Colnbrook and Poyle live in west London and Staines. Clearly, the current bus services do not serve directly a large part of the potential employment catchment. To seek to do so could be both difficult to achieve, expensive to the developer, and particularly if limited to SIFE shift change times be of limited value to the overall public transport network. We believe that any such services would cease to be viable once pump-priming from the developer concluded and are therefore likely to be of questionable value.
- 15.51 It is currently possible to travel from many parts of west London and from Staines to Colnbrook bypass with one change of bus – at Heathrow Central Bus Station; Heathrow Terminal 5; or Compass Centre (Heathrow Airport North). There are four elements of interchange (apart from waiting time) which may deter staff from accessing SIFE by bus. These are the fares penalty that is incurred, the lack of Real Time Passenger Information, inconvenient connections and unreliability.
- 15.52 In addition to the 7-series routes, there is potential to reach the site via bus stops in Colnbrook village served by TfL’s route 81. A footpath connects these stops and SIFE, although at present this is poorly lit and not considered acceptable for use, particularly at shift-change times.
- 15.53 The issue of ‘fares penalty’ arises in cases where passengers need to change between different operators’ buses to reach SIFE. The developer has agreed to carry out discussions with SBC and the local bus operator to discuss ways that this fares penalty can be overcome for potential passengers travelling from Staines and West London directions. An update on these discussions will be provided prior to committee.
- 15.54 The developer has agreed to fund Real Time Passenger Information screens and their maintenance over a 5 year period at the two stops nearest the site, at Colnbrook High Street and at 15 other locations on the corridors covering routes 75, 76, 77 and 78 within Slough. The developer has also agreed to implement a number of screens within the staff facilities and lobby areas of the development.
- 15.55 In order to improve the public transport accessibility of the site around shift change over times, the developer has agreed to fund the additional services on the 77 and 78. The additional services will consist of one additional route 78 journey between Britwell and Terminal 5 mornings and evenings seven days/week; and One additional route 77

journey between Chalvey and Terminal 5 Saturdays, Sundays and Bank Holidays evenings.

- 15.56 The developer has agreed to fund “hurry” facilities at 8 signalised junctions between Slough town centre and Lakeside Road along all three major bus corridors. This will provide bus priority at the signals.

Car, HGV, Motorcycle and Cycle Parking

- 15.57 The indicative layout shows 974 car parking spaces and these will be distributed around the various buildings. The Slough Local Plan 2004 recommends that a minimum of 1 space per 200 sq.m. is provided, which would equate to 965 spaces. Therefore the proposed provision is slightly above the minimum standard. Given that the site will operate on a shift basis then this considered to be acceptable. The Local Highway Authority would not be willing to support a higher provision than that proposed as this would have the effect of undermining the sustainable transport provision and discourage modal shift. Taking account of the capacity, congestion and air quality issues at nearby junctions and on links to the development higher levels of car parking provision would not be appropriate.

- 15.58 Assuming that up to 3,000 members of staff will be employed on site and the site operating in three shifts then still a large number of employees will be travelling by car. The Travel Plan estimates that 67% of employees will be travelling by single occupancy vehicle in year 1, but they estimate this can be reduced to 55% within 5 years. Shift changeover times will be busy with the changeover periods of incoming and outgoing movements and the developer has committed to ensuring that overspill parking does not occur on estate roads.

- 15.59 The applicant is proposing to provide 447 HGV spaces which include 190 docking bays, and 257 spaces in the HGV short and long stay facilities. The minimum standards within the Slough Local Plan require 1 space per 1,000m sq.m. and therefore for this development a minimum of 195 bays would be required, thus it is consistent with Local Plan standards. Although in reality the standards are not designed to cover a development of this scale.

- 15.60 Motorcycle and Cycle Parking is also provided for each of the units and the cycle parking is in accordance with the standards. 386 spaces are proposed which seems a very high number taking account of shift turnover period and so it is recommend that a smaller number of spaces to a higher quality provision is provided. All spaces should be undercover and secure. Preferably with locker, shower and changing facilities close by.

Travel Plan

- 15.61 The developer has prepared a Travel Plan and has agreed to financial penalties being used to enforce the agreed outcome targets on modal shift if these are not met.
- 15.62 The Travel Plan contains a range of measures covering car parking, public transport, walking and cycling, car sharing and funding for a Travel Plan co-ordinator.

- 15.63 The Travel Plan Coordinator will be funded by the developer to oversee implementation, monitoring and review of the Plan. This will be funded for a period of 5 years by the developer and following that by the Site Management company. Individual occupiers will prepare their own travel plans in accordance with the wider site based travel plan.
- 15.64 The travel plan targets aim to reduce the proportion of people driving to work to 60% after three years (from a base of 67% estimate) and to 55% after five years. Binding targets will be enforced using financial penalties for non-achievement.
- 15.65 The developer has agreed to make a capital commitment for the setting up of the Plan including on-site infrastructure such as pedestrian and cycle measures. It is not quite clear what these costs will include but presumably the cycle parking, showers and changing facilities. The developer has also offered to underwrite the annual revenue costs of the Plan.
- 15.66 The developer has also agreed to continue to support and administer the Travel Plan for five years after the commencement of development, or up to two years after the last unit on the site has been occupied, whichever is later. At the end of this time, responsibility for travel associated with the site will pass to the Management Company.
- 15.67 The Travel Plan monitoring is proposed to be consistent with the *TRICS Good Practice guide 2009* (Section 18), and whilst it recommends that travel surveys are undertaken every three years this is not consistent of the monitoring of the targets. Whilst it is proposed to carry out a snapshot survey 2 years after the first survey, this would be insufficient if targets are not being met, as important information would be supplied within the questionnaire to understand the barriers to use of non-car modes of travel.
- 15.68 Therefore as the Local Highway Authority requires targets to be enforced by financial penalties, so that there is a real incentive for them to be achieved additional monitoring is required. Travel questionnaire surveys should be backed up by a cordon count at the site access points of numbers of staff arriving by car, number of car sharers, motorcyclists, cyclists and bus passengers alighting from services. These surveys/counts should be undertaken more frequently than the questionnaire surveys e.g. annually. This is likely to provide a much more accurate reflection of modal share than travel survey questionnaire, as it is unclear as to how many responses would be received – often survey responses are as low as 10%.
- 15.69 The developer has agreed to provide a Travel Plan monitoring contribution, to be secured as part of the S106 agreement, to enable the Local Highway Authority to review progress with the Travel Plan and work with the Travel Plan Coordinator at the site and with the Travel Plan coordinators of the respective occupiers.
- 15.70 A revised Travel Plan, taking into account the comments discussed above, and incorporating financial penalties for failure to achieve modal shift targets should be incorporated into the S106 agreement.

Freight Management Plan

- 15.71 A Freight Management Plan has been provided by the developer and it seeks to:
- improve air quality, including greenhouse gas emissions – voluntary initiatives are

proposed to encourage operators to use HGV's that are compliant with the neighbouring London Emission Zone;

- reduce local congestion, accidents, noise and pollution – the plan states that route guidance will be given to drivers to use to use main links between the strategic road network. Flexibility is needed in the plan such that it can incorporate latest improvements in IT to assist in route planning. There is a commitment within the plan to discouraging HGV parking on surrounding roads and thus there should be a commitment to fund measures to prevent HGV parking on surrounding roads should this become a problem.;
- promote the use of rail for freight movements where possible – there is a commitment to providing intermodal infrastructure to encourage the use of rail freight distribution, but there is not enough certainty given in the plan to ensure operators use rail freight and this would need to be secured by setting targets;
- help companies at SIFE to take advantage of opportunities for improving the efficiency of their freight operations - vehicle booking systems and VMS used to provide advice to drivers. Occupiers are encouraged to explore the opportunities of back hauling goods.

15.72 As part of the Freight Management Plan the S106 agreement will require that the new arrival/departure siding, the reception sidings, the intermodal terminal, the sidings serving Units B and C and associated works on the Colnbrook branch line will have to be fully completed and operational before the first warehouse unit can be occupied.

15.73 The developer is also proposing that between 23.00-05.00 all HGV's use junction 14 on the M25, reaching this via the A4, A3044 and A3113 to avoid travelling through Brands Hill. This will also have to be part of the Sec 106.

15.74 The developer has been asked to amend the FMP to incorporate a section on managing an unplanned closure of the site. This should be reported prior to the committee meeting.

Road Safety

15.75 The increase in traffic and proposed changes to the various junctions will all have road safety implications. These will have to be the subject of full Road Safety Audits. The Highways Agency currently has a holding objection with regards to the proposed improvements to Junction 5 of the M4. It is however, assumed that any issues can be resolved through the detailed design of this and other junctions.

Conclusions

15.76 Whilst the proposed Strategic Rail Freight Interchange will reduce the overall amount of freight that is carried by road it will result in a significant increase in the amount of HGV and other traffic in the local area.

15.77 In order to accommodate this traffic on the local and strategic road network the applicant is proposing to carry out a number of road and junction improvements and provide a package of transport measures.

- 15.78 Following the review of the Transport Assessment and associated documents, it is concluded that there are no highway objections to the proposed development subject to the developer agreeing the proposed conditions, the S106 Heads of Terms and entering into a S278 Agreement.
- 15.79 This is, however, subject to there being a guaranteed high level of rail use of the interchange.
- 16.0 **Air Quality**
- 16.1 Another strategic reason for not locating a SRFI in Colnbrook is that the air quality in the area is recognised to be of very poor quality in terms of national and European standards. This is because of its location in relation to London, the motorway network and Heathrow. The Environmental Statement shows that part of the SIFE site lies within the most heavily polluted area for the whole of the West London/Heathrow area in terms of nitrogen dioxide (NO₂).
- 16.2 The EU Directive is legally binding and requires Member States to identify zones and agglomerations where either the target values or long term objectives for air quality are unlikely to be met within the specified period and draw up action plans or programmes in accordance with the Directive.
- 16.3 Slough and all of the local authorities close to the SIFE site have been identified as being part of the South East Zone where the EU Limit Values are not being met for nitrogen dioxide. Defra is currently preparing updated air quality plans to support the UK Government's request to the European Commission to secure additional time up to 2015 to meet the limit for nitrogen dioxide within the zone.
- 16.4 Whilst the transfer of freight from road to rail may produce a number of wider overall benefits in terms of air quality and pollution, the development of SIFE will cause additional harm to the air quality in the local area as a result of large increase in the number of HGV and other vehicle movements to and from the site.
- 16.5 Part of Core Policy 2 (Sustainability and the Environment) states that :
Development shall not:
a) Give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise.
- 16.6 In this case the traffic from the proposed development will have an impact upon a number of designated Air Quality Management Areas (AQMAs).
- 16.7 Local Authorities are required to designate AQMAs where air quality objectives are not currently achieved and produce an Air Quality Management Plan setting out measures that will be taken to improve the situation.
- 16.8 The SIFE site itself does not fall within the boundary of an AQMA as there is currently no relevant public exposure, such as residential properties. It is however surrounded by AQMAs meaning that whichever direction the traffic goes to or from the site it has to pass through an AQMA.

- 16.9 There are two AQMAs the west of the site within Slough Borough. These are at Brands Hill Area and the area around and junction 5 of the M4. To the east of the site within Hillingdon a large area of the Borough has been declared an AQMA including the M25 corridor, the A4 corridor and Heathrow areas. Spelthorne has declared an AQMA for the whole of the borough including the M25 to the south of the site. South Bucks has declared an AQMA along the M4 corridor to the north of the site and along the M25.
- 16.10 All of these AQMAs have been declared because of they exceed the annual mean objective for nitrogen dioxide (NO₂).
- 16.11 Annexe 1 to PPS23 (Pollution Control, Air Quality and Water quality) states:

It is not the case that all planning applications for development inside or adjacent to AQMAs should be refused if the development would result a deterioration of local air quality. Such an approach could sterilise development, particularly where authorities have designated their entire area as AQMAs. LPAs, transport authorities and pollution control authorities should work together to ensure development has a beneficial impact on the environment for example by exploring the possibility of securing mitigation measures that would allow the proposal to proceed.

This raises a number of issues. Firstly, whilst it acknowledged that the proposal may provide some mitigation by increasing the use of rail, this will be achieved wherever the proposed SFRIs are built within the region.

- 16.12 Secondly, since the need for SRFIs can met anywhere within the region, they don't have to be built in AQMAs where air quality objectives and limit values are not being met, and in the Heathrow region of West London which experiences some of the highest pollution levels in the country.
- 16.13 Finally the extent of the deterioration of local air quality needs to be taken into account and the extent to which it would conflict with or render unworkable elements of the Local Authorities Air Quality Action Plan.
- 16.14 The traffic modelling produced by Goodman suggests that 2,000 of the 3,000 additional daily HGV trips and around half of the car and van trips going to and from SIFE would go along the A4 through Brands Hill to the M4 junction which could have significant implications for air quality in this area.
- 16.15 The Brands Hill and M4 areas were declared Air Quality Management Areas (AQMAs) in June 2005 due to exceedence of the annual mean NO₂ levels. It is estimated that 1,286 people live within the M4 AQMA exceedence area and 120 people in the Brands Hill AQMA exceedence area.
- 16.16 SIFE will result in around 2,000 additional HGV movements per day through the Brands Hill AQMA and will also have an impact upon residents close to the M4 motorway AQMA. Brands Hill could be particularly affected by increased emissions from traffic queuing and congestion very close to residential properties. It could also increase the number of people who are affected by elevated NO₂ levels.

- 16.17 In order to try to deal with existing problems, an Action Plan for the Brands Hill AQMA was integrated within the second Slough Local Transport Plan. This set out 19 separate actions that are intended to be carried out over a ten year period.
- 16.18 The main features of this are:
- new traffic signals control system at M4 J5/Brands Hill/Sutton Lane Gyratory
 - Spiral markings introduced at M4 Junction 5 to improve lane discipline and reduce queuing
 - Installation of new traffic monitoring site in AQMA
 - Upgrade the bus fleet and enhance the Heathrow services using the A4
 - Variable message signals installed by Highways Agency to provide road user information
 - Improved cycling/walking links across Junction 5
- 16.19 The aim of the Action Plan is to try to prevent the NO₂ emissions exceeding the 2001-4 average base line level.
- 16.20 The initial results of the Brands Hill Air Quality Action Plan are set out The Slough Local Transport Plan Progress Review 2008. This shows that many of the measures have been implemented. These include the installation of traffic signal control system, the spiral markings, variable message signs, low emission buses and new services as well as air quality monitoring. In addition ramp metering has been introduced on J5 of M4 in order to smooth out the flow of traffic.
- 16.21 The Progress Review has also shown that the average level of NO₂ for the period up to 2007 is slightly below the target.
- 16.22 The next steps for the Brands Hill Action Plan as set out in the LTP Progress Report include:
- Ensuring developments generating significant additional traffic at M4 J5 are subject to environmental/transport assessments and S106 contributions are sought;
 - Working with the Highways Agency on further measures at Junction 5 to reduce congestion and queuing;
 - Lobbying Highways Agency to explore measures to improve journey time reliability on the M4 and reduce congestion and queuing;
 - Investigate joint initiatives with neighbouring authorities to minimise vehicle emissions, particularly in the vicinity of Junction 5; and
 - Provide air quality information to interested parties and link to wider health initiatives.
- 16.23 Monitoring in the Brands Hill AQMA show that the concentrations of nitrogen dioxide are around 50ug/m³ at the façade of residential properties which is well above the UK air quality objective and EU Limit Value of 40ug/m³. Long term monitoring results show the concentrations are relatively stable and have not reduced in line with national predictions and there is no evidence to show that there will be a downward trend over the coming years. Dispersion modelling carried out by Slough, Hillingdon, Hounslow and Spelthorne Council in 2011 shows that the area around Heathrow is predicted to exceed the annual nitrogen dioxide limit values for 2011 and 2015 along the motorways, some main roads and the busiest main junctions. It is also predicted to exceed the hourly

average concentration level.

- 16.24 The air quality assessment which has been submitted as part of the EIA for the SIFE application has looked at predicted levels of pollution from nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}) which are the main pollutants from road traffic. This shows that particulate matter concentrations will continue to be below the air quality objective and EU limit values.
- 16.25 With regards to nitrogen dioxide, the EIA estimates that the effect of SIFE on local air quality in the Brands Hill area would be at worst a “minor adverse” impact. This impact descriptor has been based upon the accepted EPUK criteria which assess the impact of developments with the range of “negligible”, “minor adverse”, “moderate adverse” and “major adverse”. The reason why SIFE comes out as having a “minor impact” is based on a less than 5% increase in the overall level of nitrogen dioxide concentrations which only counts as being a “small” impact magnitude. This has been incorrectly applied and the impact magnitude should have used change in concentrations. In addition, the methodology used to derive these changes in concentration is questionable. The fact that there is less than a 5% increase in concentrations reflects the fact that the existing levels of nitrogen dioxide are already high.
- 16.26 The Council has employed its own consultants (CERC) to review the air quality modelling carried out for SIFE. This focused on the model methodology and interpretation of the results and existing conditions in the vicinity of the proposed development. The resulting report raised a number of questions about the robustness of the modelling, particularly with regard to the fact that NO₂ concentrations in the area are not decreasing as expected.
- 16.27 These comments were fed into the revised air quality work that was included in the Environmental Statement Addendum. This did not change the overall conclusions. The change in the baseline modelling does however demonstrate that there will be an increase in the number of people in Brands Hill and north of the M4 who would be affected by poor air quality.
- 16.28 A report by AQC consultants has subsequently been commissioned by Helioslough. This concluded that the Environmental Statement has misrepresented national guidance in order to claim compliance with best-practice and industry-standard practices and has not attempted to carry out any robust verification of the dispersion modelling. The ES would be viewed as not fit for purpose even if these were the only two failings, but the review has also identified numerous other issues. It seems likely that the increase in traffic from SIFE would have a significant impact but it is impossible to determine whether this would be the case without a robust air quality assessment which is not provided by the ES.
- 16.29 In order to help to address air quality issues the applicant is proposing to carry out a number of mitigation measures which would contribute towards the Brands Hill Air Quality Action Plan. These include improvements to Junction 5 of the M4 motorway to increase traffic flows; the widening of part of the A4 Brands Hill to 3 lanes with the potential to eventually widen it to 4 lanes; improvements to the Sutton Lane gyratory system and the provision of new cycle lanes. There will also be additional bus support measures. All of this could help to improve air quality but the effects have not been

taken account in the modelling.

- 16.30 It is also proposed that the applicant will pay for air quality monitoring to take place in the Brands Hill area which will be included in the Section 106 agreement.
- 16.31 Consideration also has to be given to the fact that the proposed transfer of freight from road to rail will have an overall benefit upon air quality.
- 16.32 The proposed development will also result in large volumes of HGVs, LGVs and cars travelling east along the A4 into Hillingdon. This area has been declared as an Air Quality Management Area (AQMA) due to exceedences of the annual mean nitrogen dioxide objective. This southern half of the AQMA is particularly badly impacted by emissions associated with the operation of Heathrow Airport, the M4, the A4 and the M25.
- 16.33 The air quality assessment has identified receptors in Bedfont Court and in Longford. It concludes that the impact at these receptors is “imperceptible” with regards to magnitude of change.
- 16.34 It should be noted that the air quality levels predicted in the assessment appear much lower than that predicted by Hillingdon Borough modelling and the annual mean nitrogen dioxide levels currently experienced in Longford are only just below the EU limit value. Hillingdon Borough Council has therefore expressed a concern that the model could be under-predicting the impacts in the Borough particularly in future years when levels are now showing no discernible downward trend in concentrations, especially close to major roads.
- 16.35 Hillingdon has raised concerns about existing congested road network conditions, operation of the major junctions and concerns over the robustness of the transport assessment. Any further congestion on some of the roads in Hillingdon will lead to a worsening of the air quality impacts in residential areas already above recognised health limits.

Conclusion

- 16.36 In conclusion it can be seen that the development of SIFE will make air quality worse in areas such as the Brands Hill AQMA which already exceed UK air quality objective and EU Limits.
- 16.37 There are concerns over the assessment methodology presented in the EIA that has been used to assess the impacts on air quality. As a result it is considered that the proposed development has the potential to expose residents to levels above the air quality objective and EU limit values for an extended period of time and make it harder to draw up the action plans that will be necessary to meet the European Directive target values on time.
- 16.38 Although the likely worsening of air quality in the local area may not constitute an absolute bar to development, it is considered that it should only take place if it can be demonstrated that there are no better alternative sites that do not exceed national air quality objectives and EU limit values and would have less impact upon the health of

local residents.

- 16.39 The development of the Radlett site as a Strategic Rail Freight Interchange would not have the same adverse impact upon air quality as SIFE and so it is considered that it should be developed instead.
- 16.40 It is also considered that, because of the impact upon local air quality, the application should be refused unless the proposed benefits can be delivered through a guaranteed high level of rail use of the proposed warehousing.

17.0 **Need to guarantee that SIFE will be used by rail**

- 17.1 The only justification for SIFE is that it will provide the benefits associated with transferring freight from road to rail.

Paragraph 2.31 of the Slough Core Strategy which deals with SIFE states:

2.31 If permitted, a high level of rail use of the warehousing would have to be guaranteed in order to ensure that the proposed benefits of the Freight Exchange are actually delivered.

- 17.2 This reflects the Council's concern that the SIFE application could be used as a "Trojan horse" whereby planning permission is granted on the expectation that it will deliver the predicted modal shift but this may never happen in practice.
- 17.3 It also reflects the Council's view that the harm caused by development in this location to the Green Belt, Strategic Gap, Colne Valley Park and the environment in general would be so great that planning permission cannot be granted in the hope that it will be used by rail.
- 17.4 There are a number of reasons why it cannot be automatically assumed that the SIFE development will be used by warehouse operators who want to use the rail facilities.
- 17.5 Firstly, whilst the applicants have sought to show that there will be a demand for up to a million square feet of warehousing in the SIFE market area, there is no evidence to show that there is any demand for this to be served by rail.
- 17.6 There is no indication as to who the warehouse operators will be or what they will be used for apart from the suggestion that they may be retailers. The applicant has acknowledged that
- "...the take up of rail transport at existing SRFIs, such as the Daventry International Rail Freight Terminal (DRIFT), in Northamptonshire, is market driven."* (Exec Statement p5)
- 17.7 There are however a number of economic and operational reasons why SIFE, may not be used by rail to any great extent. One of these is that it is too small to operate as a Strategic Rail Freight Interchange.
- 17.8 SRFIs are identified as having site areas of between 40ha and 400ha. Although the SIFE planning application site 58.5ha some of this consists of undevelopable land which

is within the flood zone. As a result it is at the very bottom of the size range of SRFIs.

- 17.9 An important feature of SRFIs is also that they should have the ability to expand. The only way in which SIFE could be expanded is onto the Biffa waste site and there are no proposals to do this.
- 17.10 This is particularly relevant because in order to operate properly SRFIs have to be big enough to be able to provide the necessary number and range of rail services.
- 17.11 This is explained in the East Midlands Strategic Distribution Study (2006) which was produced by MDS Transmodal Limited and others. Paragraph 5.39 states:
- “In addition to the cost of rail freight compared to road haulage, rail as a mode will only be attractive to the occupiers of the distribution buildings on a logistics site if the site is able to attract frequent full length rail freight services to/from a wide range of locations. As a minimum, this means that at least a daily train service to/from 5 different locations, with twice daily services to some locations (around 8 train services in total). Essentially a ‘critical mass’ in terms of size exists, above which the logistics site will generate the requisite number of daily train services. This critical mass is in the region of 200,000m² of floorspace as demonstrated in the tables presented in Appendix 6.....”*
- 17.12 It should be noted that this study was assessing the operations of National Distribution Centres which would have high bay type warehousing. SIFE does not have the largest high bay type warehousing and is being proposed as a Regional Distribution Centre. This means that the amount of rail freight generated per square metre will be very different.
- 17.13 The applicants recognise that Regional SRFIs will have less than half the rail use than National SRFI’s because their location makes rail journeys less economic. This means that whereas they predict that SIFE could have 25% of in bound unit loads by rail, they predict that National SRFIs could have 50% of inbound unit loads by rail and 25% departing by rail.
- 17.14 This means that, even taking into account the fact that there may be different turn around times, SIFE would only have around half the rail use per square metre of warehousing as a National Distribution Centre. As a result in order to generate the same amount of rail use it would have to be twice the size.
- 17.15 This means that in order to reach the critical mass needed to make rail use attractive to the occupiers of the distribution buildings on a Regional Distribution Centre it follows that in the region of 400,00m² of warehousing is needed.
- 17.16 The SIFE site will have around 190,000 m² of warehousing which means that even when it is when it is fully built, it will, according to the above calculations, be half the critical mass needed to generate the train service required to make it attractive to the occupiers.
- 17.17 SIFE is designed to have three large warehouses which will be subject to a planning condition that they cannot be subdivided below 50,000m² in order to stop them from being used for airport related freight forwarding. As a result if just one of the occupiers of

these warehouse units decided not to use rail the remaining two units, the whole operation would fall even further below the critical mass needed to operate as a SRFI.

- 17.18 It should be noted that the Radlett proposal for 330,000m² of warehousing which does not have the same constraints to expansion, is much more likely to be able to reach the necessary critical mass needed to ensure that it will be able to operate as a Regional SRFI.
- 17.19 As part of the planning application Goodman have submitted a “Need Case and Site Operation” report which was prepared by MDS Transmodal Limited. Paragraph 4.18 of this report generally repeats paragraph 5.37 of the East Midlands Strategic Distribution Study which was also prepared by MDS Transmodal Limited. The one difference is that the minimum size requirement in the SIFE report has for some reason been reduced from 200,000m² to 150,000m². There is, however, no explanation as to how this lower figure has been produced or why it is applicable for a Regional Distribution Centre like SIFE.
- 17.20 The main conclusion from this is that there must be considerable doubt that SIFE will be large enough to create the critical mass that will ensure that it can generate sufficient rail services to make them attractive to the occupiers of the warehouses. As a result, since it cannot be left to market forces, it is all the more important that agreements are put in place that will guarantee that the warehouse occupiers will use the rail service.
- 17.21 Paragraph 2.31 of the Core Strategy states that a high level of rail use of the warehousing would have to be guaranteed in order to ensure that the proposed benefits of the Freight Exchange are actually delivered. In order to comply with this the applicants have proposed to enter into a Section 106 legal agreement which would set out their “Rail Freight Commitments”. A draft of this shows that the main commitments which are intended to ensure rail use are as follows:
- A commitment to provide all of the rail infrastructure (estimated at £25m) before any warehouse can be occupied.
 - A commitment to build the rail sidings to the warehouses before any warehouses can be occupied.
 - A commitment that the intermodal terminal will be open to all freight train operators, and pricing for use will be equal for on and off-site users.
 - A commitment to appoint an operator for the intermodal terminal, and for it to be fully operational before any warehouse can be occupied.
 - A commitment to appoint a Rail Freight Co-ordinator before any warehouse can be occupied.
 - A commitment to establish a SIFE Management Group which will include a nominee from Slough Borough Council
 - A commitment to establish a Rail Development fund of £5m, (pro-rata from when the first warehouse unit is occupied).
 - A commitment to agree a rail Freight Development Plan before any warehouse can be occupied.
- 17.22 All of these proposals are to be welcomed but it is not considered that they provide the sort of guarantee of a high level of rail use required in the Core Strategy.

- 17.23 One of the main reasons being put forward by the applicant to demonstrate that the warehouses will be used by rail is that they will be spending around £25m on the cost of the rail infrastructure which will be available from day one.
- 17.24 Whilst it is recognised that the occupiers of the warehousing will have to pay the service charge for the railway infrastructure whether they use it or not this will not be enough to ensure that they use it. The cost of warehousing in the Thames Valley is significantly higher than other areas and there is a restricted supply of sites. As a result any occupier of SIFE will already be paying a premium to be in that location and it may well be possible that a road to road distributor would be prepared to pay an additional small premium, in the form of the extra service charge, to operate out of SIFE without using rail.
- 17.25 The other main reason being put forward to demonstrate that the warehouses will be used by rail is the £5m Rail Development Fund. The use of the fund is to incentivise rail use in the first five years from the occupation of a warehouse. It is envisaged that the money will be spent upon subsidising the cost of a "lift" off the train by £30 a unit, subsidising the rail infrastructure maintenance service charge for warehouse operators and promotional/marketing activities. The £5m payment would only be paid on a pro rata basis, depending upon how many warehouses have been built and occupied during the first five years. Payments from the fund would be suspended once the target of 4 trains per week had been achieved and maintained for at least 6 months.
- 17.26 Whilst all of this is to be welcomed it is not considered that it is sufficient to ensure that there will be a significant amount of rail use. Firstly it is not clear how much of the £5m will actually be spent. Secondly most of the money will be spent upon subsidising Goodman's tenants which means that they will be able to afford higher rents. Finally it provides no incentive after five years.
- 17.27 The rail incentive subsidy will, however, only be triggered if a target of 4 trains a day has not been met four years after the site is fully operational. It is not considered that this is a high enough target when compared to the 8 trains a day that the East Midlands Strategic Distribution Study suggested should be provided in order to make the rail service attractive to the warehouse operators.
- 17.28 Whilst 4 trains a day is the applicant's target after 5 years, it is far less than their forecast of 9 trains a day when SIFE is fully operational. It should be noted that only with 9 trains a day can they meet their claim that 25% of in bound loads would be by rail. As a result it is considered that target that should be applied to the Rail Development Fund should be much higher than 4 trains a day.
- 17.29 As a result Goodman have now suggested that they could offer an additional commitment in a legal agreement to require a higher target for rail use, for example 9 trains per weekday, over a longer period, for example 10 years. The Rail Development Fund could then be extended to cover the additional 5-10 year period.
- 17.30 It is considered 9 trains a day should be the target level of rail use for the Rail Development Fund because this is what is needed to ensure that the predicted level of 25% of inbound unit loads arriving by rail can be achieved.

- 17.31 Whilst this much higher target is welcomed it is difficult to see how it can actually be achieved.
- 17.32 There are no Regional SRFIs at present. As a result the predictions are based upon an untested theoretical model.
- 17.33 Nothing like this level of rail use is however being achieved at any of the comparable rail linked distribution parks. Figures produced by Goodman show that when comparing the volume of warehousing provided on site per inbound train the much larger schemes at DIRFT and Hams Hall would generate an equivalent of 2.9 or 3.3 trains a day.
- 17.34 The assessment shows that even to achieve 4 trains inbound per day, SIFE would generate a higher level of train use for the equivalent floor area compared to these sites. As a result it is difficult to see how SIFE, which a smaller, Regional SRFI with poor connectivity can be expected to generate the level of rail use to reach the predicted 9 trains a day.
- 17.35 In the light of the practical and economic difficulties involved in actually achieving a high level of rail use, it is hard to see how the proposed £5m Rail Development Fund will actually make much of a difference.
- 17.36 Whilst it provides welcome incentives for rail use it will not act as a sufficient penalty to the developer if the rail use is not achieved. This is because the £5m is only a comparatively small amount of money compared to the overall cost of the development and any money paid out will go directly to the intermodal operator or warehouse occupiers who are tenants of the developer who may then be expected to pay higher rents.
- 17.37 It is not possible to remove the warehouse once they are built and it would be very difficult to stop them from operating if they are not using the trains. As a result it is considered that the only way in which a high level of rail use can actually be guaranteed as set out in the Core Strategy would be by making this a condition of the leases for the warehouses. In the absence of this, there can be no guarantee that the necessary benefits will be delivered which could overcome the clear harm caused by the development to the Green Belt, Strategic Gap, Colne Valley Park and the local environment. As a result it is considered that the application should be refused.

18.0 **Crossrail**

- 18.1 One of the other requirements set out in the Core Strategy is that SIFE would need to safeguard sufficient capacity for Crossrail. Crossrail involves the creation of a new rail route from Maidenhead and Heathrow in the west through a new central London tunnel to Shenfield and Abbey Wood in the east.
- 18.2 The Crossrail Act gained Royal Assent in July 2008 which granted permission for the new railway.
- 18.3 Following the Comprehensive Spending Review the Government confirmed in October 2010 that Crossrail would go ahead and would be built in its entirety. Construction on parts of the railway has now started and it is currently envisaged that the central London

part will be operational in 2018 with the outer parts of the line being ready at some time after this.

- 18.4 The uncertainty about the timing means that it is still necessary to look at the capacity of the rail network to accommodate SIFE with and without Crossrail being fully operational.
- 18.5 An analysis of the current working time table by MDS Transmodal on behalf of Goodman shows that without Crossrail being in place there is limited capacity for freight trains during the day time. The analysis concludes that at least 4 train paths in each direction can be found within the timetable between Acton Yard and the Colnbrook branch line between 8.00am and 6.00pm. This would accommodate around half of the forecast number of freight trains going to SIFE with the other half having to be accommodated during the over night off peak period.
- 18.6 Crossrail involves the construction of various bits of infrastructure in order to increase capacity on the Great Western Main Line. These include new grade separated junctions for the Heathrow airport branch line and at Acton Yard sidings. It also includes the construction of a fifth track at West Drayton which will allow freight trains from London to be held before crossing onto the Colnbrook branch in order to let passenger trains pass without being held up.
- 18.7 The provisional railway timetable with Crossrail has factored in a residual half hour passenger stopping service and the existing rail freight paths between Acton Yard and West Drayton. As a result it can be assumed that the capacity for freight trains during the peak period would be the same as at present.
- 18.8 In the off peak period there would be 2 freight train paths available per hour per direction for the Colnbrook branch line.
- 18.9 This would provide enough for the forecast level of train services to SIFE. As a result it appears that SIFE will not compromise the introduction of Crossrail.
- 19.0 **Need to safeguard the proposed passenger rail link to Heathrow**
- 19.1 The other requirement of the Core strategy is that SIFE should safeguard the proposed Western Connection passenger link to Heathrow.
- 19.2 There has been a long standing objective of creating a western passenger link to Heathrow airport in order to complement the existing Heathrow Express and underground services from the east and the proposed Airtrack service from the south.
- 19.3 This was recognised in Policy T15 of the Berkshire Structure Plan 1991-2006 and Policy T3 of the Berkshire Structure Plan 2001-2016.
- 19.4 Paragraphs 8.109 and 8.110 of the adopted Local Plan for Slough state:

“The other major improvement that could be made to train services in Slough would be the creation of a direct rail link to Heathrow. A number of studies have been carried out into the feasibility of this and the Council will continue to as BAA to promote this, regardless of whether or not the fifth terminal is eventually built at

Heathrow.

The most likely option for creating the link to Heathrow would involve the use of the existing railway line at Poyle. As a result, it is important that this line is safeguarded from inappropriate development.....”

19.5 Policy T11 (Protection of the West Drayton to Staines Line) of the adopted Local Plan therefore states:

Development will not be permitted if it would prejudice the use or operation of the West Drayton to Staines railway line for future passenger or freight services.

This policy has been saved and so is not repeated in the Core Strategy.

19.6 The new Terminal 5 development at Heathrow has included an underground station with additional platforms to accommodate services from the west such as Airtrack and the Western Connection. The land for the tunnel immediately west of the terminal has also been safeguarded.

19.7 Paragraph 7.127 of the Core Strategy states that:

“.....The Council will also continue to promote the creation of a direct rail link from Slough to Heathrow using part of the West Drayton to Staines line.... in order to reduce congestion and promote the economic development of Slough”.

19.8 Core Policy 7 (Transport) states:

Development proposals will also have to make contributions to or provision for:

- **The improvement of key transport corridors such as the links to Heathrow Airport;**

19.9 Paragraph 2.30 of the Core Strategy states that:

“..... Any further rail freight facilities at Colnbrook would have to demonstrate that the facility could be accommodated upon both the existing road and railway network. This would include safeguarding capacity for both Crossrail and the proposed Western Connection passenger rail link to Heathrow.”

19.10 The proposal has now been developed into the Great Western Access to Heathrow project (GtWRATH) which is designed to link Heathrow by rail to the Great Western mainline by rail directly west of airport junction by extending some of the services that terminate at Terminal 5, such as the Heathrow Express and/or the proposed Crossrail services, to Slough and Reading.

19.11 The preferred option involves tunnelling two tracks from Heathrow Terminal 5 towards the Great Western mainline at Langley and building a connection to the slow lines there. The track remains in tunnel between Heathrow and a point just north of the M4 where it rises from ground level to cross the “fast” lines before connecting with the relief

lines on the Great Western. The timetable is based on 4 trains per hour each way.

- 19.12 The project has been under development since 2008. It has been under discussion for a longer period extending to British Rail. The project is now included in the Great Western and South East RUSs – the main rail industry infrastructure planning document.
- 19.13 The proposed route passes directly under the SIFE which is intended to be constructed using piles. In order to allow for the tunnelling to take place Goodman have agreed to leave a clear path for a twin bore tunnel under the site and to allow an air shaft to be constructed within the site. This will be covered by the Sec 106 agreement and the exact alignment will be agreed at the detailed design stage.
- 19.14 As a result there are no issues regarding the need to safeguard the proposed passenger rail link to Heathrow.

20.0 **Employment Issues**

- 20.1 Goodman have estimated that once fully operational SIFE could directly create up to 3000 jobs, or about 2,800 full time equivalent posts, and indirectly create up to 840 jobs. The site would operate 24 hours a day with typical shift changes at 06:00; 14:00 and 22:00 (EA, section 10, paragraph 5.5). The majority of jobs created would be split between those working in the warehouse, drivers involved in moving goods, security staff and office workers. Although office workers would likely work normal office hours, it is likely that there will be a skeleton office staff present over the 24 hours.
- 20.2 During the construction phase an equivalent of 37 full-time equivalent posts could be created, although the actual number of employees on site will vary in practice as many will be part time and numbers will fluctuate over the construction period. The skilled workforce component on site during construction is unlikely to be retained, but it may be that manual or unskilled employees can transfer to new positions once the terminal becomes operational.
- 20.3 The Environmental Statement produced by the applicant concluded that the new jobs would be unlikely to create an influx of new people to the area.
- 20.4 The Core Strategy recognises that there is a gap in skills between some of the residents of Slough and the jobs available in Borough in the knowledge-based industries. This is a result of the loss of traditional manufacturing jobs in Slough. To tackle this the Core Strategy aims to promote opportunities for improving skills and training for local people whilst recognising there will be a continuing need for a range of employment opportunities to meet local need.
- 20.5 The need for developments to provide education and skills is set out in Core Policy 5 (Employment) which states that intensive employment generating uses will be expected to contribute towards training.
- 20.6 Following consultation with the Council, Goodman submitted a draft Local Labour Strategy (5th May 2011) that requires the contractors and sub-contractors involved in construction to use reasonable endeavours to comply with a training, skills and

recruitment strategy that promotes the local workforce, and any terminal operator and warehouse users to be notified of the requirement to promote the use of local employees, including notifying the Slough Job centre of vacancies.

- 20.7 The council welcomes the provision of the draft Local Labour Strategy that sets out the commitment from the developer to promote the employment and appropriate training of local employees during construction and operation of the development. At present parts of that focus on construction phase, but these can be extended to the operation phase.
- 20.8 The local labour strategy includes commitments to
- Notify Slough Job Centre of vacancies arising for the lifetime of the development.
 - Provide opportunities for local employees to benefit from employment, and monitor and notify the Council of the number of local employees.
 - Implement a Local Labour Apprenticeship Scheme for a minimum of 10 people per year that will deliver measures to promote and fund training and apprenticeships for the local labour force.
 - Notify the terminal operator and warehouse operators of the local labour strategy.
- 20.9 A final version can be submitted for approval prior to construction as part of the reserved matters application. That can also define a working definition of local labour force. That is likely to include residents within walking, cycling or public transport access of the development and extend beyond Slough Borough Council into the neighbouring authorities of South Bucks, Spelthorne, Windsor and Maidenhead and Hillingdon.
- 20.10 It is not considered that the likely economic benefits of SIFE outweigh the harm that has already been identified. However if the development proceeds, the proposed enhanced Local Labour strategy should ensure that the relevant skills and training programmes are in place and that the necessary recruitment strategies are in place that will give priority to local people..
- 21.0 **Flooding**
- 21.1 This part of Colnbrook has been the subject of flooding in the past. As a result it is important for the development to demonstrate that it can take place without being flooded and without creating more flooding elsewhere.
- 21.2 Part 3 of Core Policy 8 (Sustainability and the Environment) Section 4 which deals with flooding states:
- a) Development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding of the property and it will not impede the flow of floodwaters, increase the risk of flooding elsewhere or reduce the capacity of a floodplain; and**
 - b) Development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.**
- 21.3 The Environment Agencies indicative flood maps show that the site lies partly within Flood Zone 2 and partly in Flood Zone 3. PPS25 (Development and Flood Risk) defines Zone 3 as an area with a high probability of flooding or a 1 in 100 annual probability of flooding. As a result this is an inappropriate location for development in accordance with

the sequential test.

- 21.4 In order to deal with this issue the applicant has submitted a detailed Flood Risk Assessment (FRA) as part of the planning application.
- 21.5 The applicant's FRA identifies the prime source of flood risk to the proposed development as two watercourses running through the site: the Horton and the Colne Brooks. A third watercourse – the Tanhouse Stream is not considered to pose a flood risk.
- 21.6 The FRA has also identified that the majority of the site outside the 100 year plus climate change floodplain. As a result it is proposed that all of the development, apart from a small area of proposed rail embankment in the North East corner of the site, will be built on land outside of the 100 year flood plain. The applicant also advises that they will mitigate against the risk of flooding through the following measures and recommendations:
- (i) plot levels on the West of the site are set at least 600mm above the flood level of the adjacent watercourses;
 - (ii) all development (excluding the rail embankment) is located outside the 100 year plus climate change modelled floodplain;
 - (iii) all watercourse crossings to have soffit levels at least 600mm above the 100 year plus climate change modelled floodplain;
 - (iv) surface water drainage from the proposed development site is at a rate no greater than existing;
 - (v) SuDS, including swales and attenuation basins are used to attenuate surface water runoff; and
 - (vi) Floodplain compensation is provided for the proposed rail embankment.
- 21.7 The Environmental Agency initially objected (05/11/2010) to the Flood Risk Assessment for the following reasons:

“The site lies within Flood Zone 3 defined by Planning Policy Statement 25 as having a high probability of flooding where notwithstanding the mitigating measures proposed, the risk to life and / or property, both within the development and in upstream and/or downstream locations from fluvial inundation would be unacceptable if the development were to be allowed. The site lies within the flood plain and the proposed development will impede flood flow and/or reduce storage capacity thereby increasing the risk of flooding elsewhere.”

- 21.8 The EA also suggested the following resolution to the problem:

Any loss of flood storage must be compensated for by the reduction in level of nearby ground, such that the same volume is available at every flood level before and after the works and it can freely fill and drain. The timing at which the storage effect comes into operation is significant. If this volume is reduced for any stage of a flood then the lost storage results in flood waters being diverted elsewhere, leading to third party detriment. Compensation area 1 is a landlocked area connected by a small channel. This will not provide acceptable compensation in a flood event. Should you submit plans which demonstrate that the compensation area 1 is hydraulically connected to the floodplain and will work in all flood events

than we will be in a position to remove our objection.

- 21.9 Following this feedback, the applicant provided the Environmental Agency with revised/ additional information in order to overcome the objections. As a result the Environmental Agency subsequently confirmed that:

'Based upon the material submitted, we are happy that the floodplain compensation is sufficient in volume and will function as intended. There are no further objections to the development proposals from a flood risk perspective'

- 21.10 The additional information has been formally submitted to the Council as part of the Environmental Statement addendum.
- 21.11 It is noted that after the initial submission of FRA details for this application on the 27th Sept 2010, the Environmental Agency released a subsequent Flood Map dated November 2010 for the area. This revised map showed minor changes of the flood zone within the site, and of note a 'finger' projection of 1 in 100 flood zone encroaching into the main body of the site orientated from the North East to South West.
- 21.12 The applicant advises that the Environmental Agency's flood zone mapping is derived from LIDAR elevation data (surveyed from an aeroplane) with a tolerance in the order of +/- 200mm. The applicant has employed a consultant to re-survey the area to within +/- 5mm accuracy, the results of which show the ground levels along this projection are higher than the Environmental Agency's assessment, and therefore are not within the 1 in 100 flood zone. As discussed above, the Environmental Agency has withdrawn their objection to the proposal and as such it is considered that they are content with the applicant's re-assessment of the flood zones upon the site.
- 21.13 Internal consultation with the Council's principal engineer has provided no objection to the proposal. The engineer has advised that the proposal would assist in the regulation of flood water for the site and improve the control of flood waters.
- 21.14 As a result is concluded that there are no objections to the proposal on flooding grounds, subject to the appropriate conditions being applied to the outline application.

22.0 **Contamination**

- 22.1 The majority of the SIFE site has been subject to operations which have the potential to give rise to significant sources of soil and water contamination.
- 22.2 Gravel extraction took place in the 1960s and 1970s which was followed by landfill operations which resulted in the land being restored to agriculture in the 1990s. The land to the west of the site is still an active landfill operated by Biffa which is due to be completed in the next few years when it will also be restored to agriculture.
- 22.3 The application site was filled with industrial, commercial and household waste and because it predated the 1994 Waste management Licensing Regulations it is not possible to state with confidence to what standards the landfill operations were carried out. It is possible that non licensed wastes were deposited on the site.

- 22.4 Part 3 of Core Policy 8 (Sustainability and the Environment) which deals with Pollution states that:
Development shall not:
b) Cause contamination or a deterioration in land, soil or water quality;
c) Be located on polluted land, areas affected by air pollution or in noisy environments unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.
- 22.5 The applicant has carried out site investigations the results of which can be summarised as follows:
- There are only low and generally not significant concentrations of contaminants
 - There are elevated concentrations of ammonical nitrogen within the shallow groundwater but no evidence of effects to surface water quality
 - Concentrations of methane and carbon dioxide gases were recorded across the former landfills
 - The thickness of the landfill deposits make them unacceptable for engineering purposes in its current state
- 22.6 The Council's Contamination Officer has confirmed that the majority of the site will be classified as Characteristic situation 3 and so gas protection measures for proposed buildings onsite will be required.
- 22.7 A significant amount of earthworks are proposed. This will largely involve the re-distribution of the existing landfilled wastes. Where possible it is suggested that as much material as possible will remain on site, however some of this will be unsuitable from an engineering point of view and will need to be disposed of off-site.
- 22.8 The slab which will support the railway and warehousing will have to be supported by piling down through the landfill. This will cause disturbance to the waste.
- 22.9 The Council's Contamination Officer has commented that "The significant earthworks proposed are likely to have a major impact on the existing landfill gas regime at the site. This could potentially persist for a length of time after completion of the development and significant measures may be required." As a result a condition will be required to be added to any approval to ensure that the risks from landfill gas to the future users and occupants of the land and neighbouring land are minimised.
- 22.10 In addition a Materials Management Plan will have to be drawn up in accordance with the current CLA:RE guidance. The Council would want the opportunity to comment on and formally agree this document prior to the works commencing on site.
- 22.11 The Environment Agency has no objections subject to the imposition of a condition that will require a risk assessment of the loading effects of the proposed development on the landfill and leachate expulsion.
- 22.12 Whilst it is recognised that the construction of the rail depot and management of the waste material on the site will be a major exercise, it is not considered that there are any objections on contamination grounds provided all of the appropriate conditions are in place to minimise the risk of pollution.

22.13 There was an objection from BIFFA and the Environment Agency to the construction of the access road and other works on the land to the west of the site which if the subject of an Environmental Permit. This has, however been resolved on the basis that this will involve any disturbance of the land and so the work is commensurate with the permit.

23.0 **Noise and Vibration**

23.1 Since SIFE will operate 24 hours a day it is important that the affects of noise and vibration are assess in accordance with PPG24 in order to ensure it does not have an unacceptable impact on local receptors.

23.2 Part of Core Policy 2 (Sustainability and the Environment) states that :

Development shall not:

- a) Give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise.**

23.3 The Environmental statement has assessed the impact of noise, and vibration generated by the development on sensitive receptors (e.g. residential dwellings) during both site preparation and construction, and operational phases. It looked at noise from traffic and noise from the railway passing a cluster of dwellings in West Drayton (in the London Borough of Hillingdon).

23.4 Noise was also assessed around the lakes in order to assess any potential impact from railway operation on wildlife, particularly on birds related to the designation of the South West London Water Bodies SPA.

23.5 The construction of SIFE is proposed to take 3 years, in two phases of 18 months, the first phase being infrastructure works, the second the remainder of the build.

23.6 The assessment concludes that predicted absolute noise levels from on-site construction at the residential properties identified will not reach levels that require mitigation and there will be no adverse effects on residential receptors.

23.7 The construction noise could have an impact on protected bird species using the lakes to the east of the development site. The RSPB have stated that they have no objection to the proposed development provided mitigated measures presented in the application are fully implemented. This includes scheduling work to avoid September to March. The applicant has agreed that this can be covered by a condition.

23.8 As a result it is not considered that there are likely to be any significant problems from noise during the construction period. Any problems can be resolved through the Construction Environment Management Plan which will be agreed with the applicant. This will set out how the construction process will avoid, mitigate and compensate for any construction effects on the environment and local amenity.

23.9 The construction involves the extensive use of piling throughout the site but It is considered that there is unlikely to be any perceptible ground vibration off-site as all piling will be by auguring and no impact driven piling or dynamic compaction will be undertaken.

- 23.10 Impacts during operation have been considered as those arising from freight handling on-site, plus rail and road traffic off-site. As the site will operate 24 hours a day, 7 days a week, details of worst case estimates of noise have been considered for both the day and night. Monitoring was also carried out in summer and winter.
- 23.11 The Environmental Assessment predicted that the noise levels for the two closest noise sensitive receptors as a result of lorry manoeuvring and loading would be moderate adverse during the day and minor adverse at night.
- 23.12 As a result the applicant has proposed construction of two 3m noise barriers that will reduce the impacts at New Cottages and Vicarage Way.
- 23.13 The impact from road traffic has been assessed at 11 sites through Colnbrook eastwards towards the M4 Junction 5. The assessment concludes that the relative increases may be audible, but not significant.
- 23.14 In order to mitigate against this it is proposed to route night-time HGVs away from Brands Hill to the unpopulated area east of the site. This measure is supported but details of how it would be enforced need to be supplied by the applicant, with costs and management the responsibility of the site occupier(s), for example through an automatic number-plate recognition system.
- 23.15 The impact of rail traffic noise was assessed solely on residents in West Drayton whose dwellings adjoin the Colnbrook branch line used as access for trains from the Great Western Main Line to the site.
- 23.16 At present the branch line is a single track, with access dependent on manual management of signals and a level crossing. The application proposes the installation of a new 775m length arrival/ departure siding alongside the existing branch line, and a new signal and control system. Noise reduction measures (rail greasers) will be fitted on both lines. The additional track will be used to hold trains coming onto or off the branch line from the mainline, and the improved signalling means trains may, with efficient train operation and timetabling, be able to join the main line without stopping. These measures are considered by the applicant to reduce noise to residential receptors, as measured at Tavistock Road.
- 23.17 The noise assessment concludes that although the trains for SIFE will increase noise at baseline receptors by about 3dB, the impact of additional trains (1.5dB) is not significant, particularly as the area is already noisy and so the relative increase in noise is not significant.
- 23.18 The absolute levels of train noise have also been assessed as falling, 'significantly short of threshold values for entitlement to compensation' As a result no mitigation measures are being proposed for the additional rail traffic.
- 23.19 The London Borough of Hillingdon has objected to the proposal on grounds including that the scheme is detrimental to residential amenity and therefore contrary to policies in Hillingdon's saved UDP (OE1 and OE3) due to the following:
- Increase in noise from [road and] rail transport associated with the development (this also conflicts with London Plan 2008 policy 4A.20)

- Inadequate consideration of the impacts of vibration from operational rail traffic (this also conflicts with LB Hillingdon's SPD on noise)

- 23.20 They consider that any increase in noise is significant because it is caused by an increase in the number of trains, and that as noise levels are already high any further deterioration is unacceptable.
- 23.21 LB Hillingdon also consider that there is no proper assessment of LAmax noise levels (the maximum noise level experienced) caused by freight trains passing these receptors at night, and that an increase in trains passing at night would cause an increase in the number and frequency of noise disturbance
- 23.22 As the properties are in LB Hillingdon, the Council considers it reasonable to consider the mitigation requested by them and so condition for monitoring of noise to address their concerns will be imposed.
- 23.23 In terms of the effect of the railway noise on the Special Protection Area protected bird species, it is not considered that this will rise above ambient levels, except for the additional noise source from trains coming in along the new sidings. Some sources of train noise have been identified as potentially inducing a startle response from birds using Old Slade Lake.
- 23.24 As a result the use of speed limits and water to limit brake squeal has been proposed as mitigation to reduce rail noise on the branch line. The RSPB and BBOWT consider the implementation of these measures are a condition of them not objecting to the scheme.

24.0 **Lighting**

- 24.1 Since the site will be used on a 24 hour basis, with trains coming in at night and the warehouses employees working on a shift system, it is important that it is properly lit for operational and safety reasons. It is, however, also important that it does not cause any unnecessary light pollution or affect the operation of Heathrow airport.
- 24.2 Part 3 of Core Policy 8 (Sustainability and the Environment) which deals with Pollution states that:
Development shall not:
b) Give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise.
- 24.3 Appendix A of PPS23 (Planning and pollution Control) recognises, 'the need to limit and where possible reduce the adverse impact of light pollution, e.g. on local amenity, rural tranquillity and nature conservation.'
- 24.4 The applicant has drawn its methodology for assessing the impacts of light from the development from, 'Guidance Notes for the Reduction of Obtrusive Light', produced by the Institution of Lighting Engineers. That includes best practice, an assessment of environment sensitivity and guidance on limiting obtrusive light (in terms of sky glow, glare and light trespass).

- 24.5 It is recognised that lighting is required during construction and operation phases of SIFE to provide a safe and secure environment after dark, both for employees and local residents or other members of the public.
- 24.6 As the application is outline, a detailed lighting design has not been carried out but lighting strategy has been prepared as a basis for consideration and assessment of the potential impacts of lighting associated with the development.
- 24.7 The ES has assessed light pollution during construction and operation phases, proposed mitigation and considered residual effects. As the site relies in part on landscaping to screen the site the assessment has also considered impacts in summer and winter, and at year 0 and year 10 after planting is completed.
- 24.8 The results of this can be summarised as follows:
- During construction*, the effect of temporary lighting associated with the construction phase has been considered not to exceed slight adverse.
- During operation* the Impacts of lighting have been considered in relation to the general impacts on amenity: on views, footpaths and residential properties and the specific impacts on ecology: impact on bat commuting corridors
- During operation with mitigation* the effect of temporary lighting associated with the operation phase has been considered not to exceed slight adverse for a few receptors but negligible for the majority.
- 24.9 The design and access statement confirms:
- principle roadways and pedestrian routes will be illuminated in accordance with relevant highway standards, and car park areas will be provided with amenity lighting.
 - service yards and intermodal area will be carefully designed to meet the criteria for operational and safety requirements,
 - lighting design will be consistent, resistant to vandalism and readily maintainable throughout its intended life.
- 24.10 The mitigation measures proposed are similar for both construction and operation phases. Those that have been committed to, and that can be controlled by condition, include:
- Sensor controlled lighting in offices and welfare facilities to reduce energy consumption.
 - Compliance with 'Airport Operators Association and General Aviation Awareness Council- Safeguarding of Aerodromes, in particular Advice Note 2 – Lighting near Aerodromes'.
 - sensitive lighting to screen views of the construction activity; landscaping and planting to screen views of operational lighting.
 - minimise use, and switch off non-essential lighting when not in use
 - permanent/ security lighting required to be left on overnight to be of appropriate type not to cause glare or upward light spill, and controlled in a way to minimise light trespass into areas that do not require lighting
 - lighting levels that respect relevant lighting standards, and the ambient night time

levels of the surroundings

- lighting equipment that complies with current standards
- luminaries and their settings optically set to direct light only to where it is required so as to minimise obtrusive effects and if necessary, with the use of additional shielding if required.

- 24.11 The applicant has noted that there will be some impacts associated with lighting of the proposal that cannot be mitigated for. The assessment concludes that these are not significant, as in the majority of cases the lighting from the development is set in a context of an urban environment that already experiences lighting from sources such as Heathrow, the M4 and M25.
- 24.12 The minor adverse impacts that would remain would affect the Colne Valley Trail to east of the site, and public rights of way to the West of the site. The lighting report notes 'these views would be screened to a large extent by the landscaped corridor however due to the proximity of the new lit development it would cause a moderate adverse effect in terms of light presence until planting matures.'
- 24.13 It is considered that the details set out in the lighting report and design and access statement provide sufficient commitments at this stage to ensure that impacts from light pollution can be addressed by condition as a reserved matter. That would include a requirement to deliver the mitigation measures set out above presented in a detailed lighting strategy to be submitted and approved in writing by the Planning Authority prior to commencement of construction and operation, including compliance with lighting requirements associated with Heathrow Airport, the need to consider energy efficiency, and design, layout and use to minimise residual impacts.

25.0 **Archaeology and historical assets**

- 25.1 The Development Plan Planning policy for archaeology is covered by Core Policy 9 Natural and Built Environment. That requires development, 'enhances and protects' the historic environment, and refers in its context to PPG15 Planning and the Historic Environment. PPG15 has been replaced by PPS5 Planning for the historic environment, but it is considered the principles remain.
- 25.2 PPS5 refers to Heritage Assets, so extends beyond archaeological remains to consider conservation areas and listed hedgerows. The impact on landscape is considered in the section on the Colne Valley Park.
- 25.3 There is not considered to be an impact on the conservation area as it will be screened from the site by the Colnbrook bypass and mature trees along it which will be retained.
- 25.4 The applicant states a study has been carried out that complies with requirements in PPS5. That assessment has sought to determine the significance of heritage assets on the site, the severity of any effects, and the significance of the resulting effect in order that any significant impacts can then be mitigated for.
- 25.5 The review concludes the majority of the site is existing landfill where archaeological remains, if present, will remain in situ and unaffected by the development. The construction phase may have a potentially minor impact if piling boreholes through the

landfill come into contact with any remains, but this would be localised so no mitigation is proposed.

- 25.6 Areas outside of the landfill and quarrying may have archaeological remains of value. Above ground on site this would result in the permanent loss of remaining field boundaries, but this not considered significant.
- 25.7 Below ground areas may be affected as a result of cut and fill works during construction. This will primarily be in two areas - in the western area of the site where flood alleviation measures, balancing ponds, and the road access are proposed; and the north-eastern corner where the rail link south of the M4 are proposed.
- 25.8 The mitigation proposed for the north-eastern area includes the use of bored piles along the railway embankment bored piles, for both areas a programme of targeted excavation and recording is suggested. This may be acceptable if the piling is carried out at times to avoid impacting on residents and protected bird species using the lake. The latter has already been committed to in the Construction Environmental Management Plan.
- 25.9 The Council has consulted its archaeological advisor who has accepted the results of the methodology and noted that the site lies within an archaeologically rich area of the Thames Valley. They have no objection to the proposal provided a condition is enforced that the applicant seeks advice from Berkshire Archaeology on the details to be included with and the area to be covered by an archaeological impact assessment and subsequent written scheme of investigation and commits to an appropriate programme of mitigation.
- 25.10 Provided these conditions are met there are no objections to the proposal regarding its impact on archaeology.

26.0 **Conditions and Legal Agreement**

- 26.1 This Committee report has been prepared on the assumption that all of the key conditions and agreements will be in place to control the development and operation of SIFE should it go ahead.
- 26.2 In order to protect the Council's position it will be necessary to have a holding objection to ensure that they are secured should the Secretary of State decide to grant planning permission.
- 26.3 There would be a large number of planning conditions attached to any consent and a number of requirements in the planning obligation. It is not intended to cover all of these here but to set out what the critical ones would be.
- 26.4 The following items should be included within any Section 106 agreement or unilateral undertaking or conditions.

Off site road works and junction improvements
Public transport and other transport measures
Public rights of way
Lorry routing at night

Air quality monitoring
Travel Plan including travel plan monitoring
Freight Management Plan
Construction Environmental Management Plan (including phasing)
Rail infrastructure provision
Rail Development Fund
Safeguarding of Heathrow rail passenger link
No sub division of units below 50,00m²
Funding of Landscape and Green Infrastructure Strategy
Noise conditions
Contamination conditions
Local labour Strategy
Building to a minimum BREEAM standard
Incorporating low or zero carbon energy

27.0 **Summary**

- 27.1 Whilst it is accepted that there is a general policy need for up to 4 Strategic Rail Freight Interchanges in London and the greater South East, it is not accepted that there is a specific need for one in Colnbrook.
- 27.2 SIFE will not be able to serve the Great Western Main Line in a westerly direction. As a result, since all trains using SIFE will have to pass through London, there is no rail case for having a Strategic Rail Freight Interchange in this location. An equally good or a better rail service could be provided from comparable locations anywhere around London.
- 27.3 There is also no identified demand for a Strategic Rail Freight Interchange at Colnbrook.
- 27.4 The proposed SIFE development conflicts with Green Belt policy which sets out a presumption against inappropriate development and would cause significant harm to this fragmented and vulnerable part of the Green Belt. There are not any very special circumstances that would justify the inappropriate development in the Green Belt in this area.
- 27.5 The proposed development of SIFE is contrary to the Strategic Gap Policy in that it would significantly reduce the gap between Greater London and Slough and therefore compromise the separate identity of Slough. As a result the development of SIFE should not take place in this location because it has not been demonstrated that it is essential for a Strategic Rail Freight Interchange to be built in this Strategic Gap.
- 27.6 It is considered that the development of SIFE will have a significant detrimental impact upon the Colne Regional Valley Park as a result of the urbanisation of the open countryside in the narrowest part of the Park. It will also seriously reduce the amenity and attractiveness of the Colne Valley Trail which forms an integral part of the Park. There will be a loss of opportunities for countryside recreation on the site.
- 27.7 As a result the development of SIFE should not take place in this location because it has not been demonstrated that it is essential for a Strategic Rail Freight Interchange to be built in this part of the Colne Valley Regional Park.

- 27.8 It is considered that the proposed Strategic Rail Freight Interchange at Radlett should be built as an alternative to SIFE because development at Colnbrook would lead to the coalescence of major settlements within a particularly vulnerable and fragmented area of Green Belt.
- 27.9 Radlett is also a better site compared to Colnbrook in terms of other key factors such as the Strategic Gap, Colne Valley Park, air quality and road and rail access.
- 27.10 There are a number of practical and economic reasons why SIFE may not be extensively used for rail freight and so none of the suggested benefits of the scheme will be delivered. As a result, given the demonstrable harm caused by the development to the Green Belt, Strategic Gap, Colne Valley Regional Park and the local environment it is considered that the application should be refused unless a high level of rail use of the warehousing can be guaranteed.
- 27.11 A package of mitigation measures have been agreed with the applicant. Although they do not overcome the objections to the development it is important that they are provided in their entirety should the development go ahead.

PART C: RECOMMENDATION

28.0 **Recommendation**

28.1 Refuse.

29.0 **PART D: LIST OF REFUSAL REASON(S)**

Reason(s)

1. It has not been demonstrated that there is an over riding need for, or sufficient deliverable benefits from, the rail freight facility and warehousing in this location which would constitute the very special circumstances which are necessary to overcome the presumption against inappropriate development in the Green Belt as set out in PPG2 (Green Belts) and Core Policy 2 (Green Belt and Open Spaces) of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008. It would cause significant harm to this fragmented and vulnerable part of the Green Belt.
2. The proposed development would result in the further coalescence of Slough and Greater London and the further loss of the separate identity of Slough. It has not been demonstrated that it is essential for the rail freight facility and warehousing to be in this location within the Strategic Gap between Slough and Greater London and so it is contrary to Core Policy 2 (Green Belt and Open Spaces) and Core Policy 1 (Spatial Strategy) of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.
3. The proposed development would result in the further urbanisation, loss of countryside recreation opportunities and severance of the Colne Valley Regional Park. It has not been demonstrated that it is essential for the rail freight facility and warehousing to be in this location within the Colne Valley Regional Park and so it is contrary to Core Policy 2 (Green Belt and Open Spaces) of The Slough Local Development Framework, Core Strategy 2006-

2026 and Policy CG1 (Colne Valley Park) of The Adopted Local Plan for Slough 2004.

4. It is not considered that there is a specific need for a Strategic Rail Freight Interchange in this location. If there is a regional need for such a facility it is considered that this can be met at Radlett without causing so much harm to the Green Belt and other strategic policy and environmental concerns such as the Strategic Gap, Colne Valley Regional Park and air quality.
5. The absence of any guarantee that there will be a high level of rail use of the warehousing, as required in the adopted Core Strategy, means that it cannot be demonstrated that there will be any environmental benefits associated with the proposed development that would overcome the strategic policy objections or outweigh the demonstrable harm to the environment of the area in terms of increased traffic, worsening air quality, loss of landscape features and a reduction in the ecological and recreational value of the land.
6. A holding objection is raised to the proposed development on the grounds that the legal agreements and conditions that are necessary for the development to proceed have not been secured.