

Registration Date:	08-Apr-2013	Applic. No:	P/04317/001
Officer:	Roger Kirkham	Ward:	Wexham Lea
		Applic type:	
		13 week date:	
Applicant:	Mr. Michael Courts, Brett Aggregates Ltd		
Agent:	Mrs. Jenny Owen, Jennifer Owen & Associates Ltd Bargrove Farm, Newington, Folkestone, Kent, CT18 8BH		
Location:	Land adjacent to Uxbridge Road/ George Green, Slough, Berkshire, SL2 5NH		
Proposal:	CONSTRUCTION OF NEW ROAD ACCESS AND AMENDED JUNCTION ARRANGEMENTS (REQUIRED TO SERVE PROPOSED MINERALS EXTRACTION AND PROCESSING SITE, TOGETHER WITH INFILLING WITH CONSTRUCTION AND DEMOLITION WASTE TO EXISTING LEVELS WITH RESTORATION TO AGRICULTURE AND NATURE CONSERVATION TO BE DECIDED BY BUCKS CC)		

Recommendation: Delegate back to Strategic Lead Planning Policy

1.0 **SUMMARY OF RECOMMENDATION**

1.1 Delegate to SLPP for completion of S106

1.2 This access application requires determination by the Planning Committee. It is separate but closely associated with the proposed minerals extraction/waste landfill scheme (a major planning application falling under the jurisdiction of Buckinghamshire CC). A separate response from Slough BC under the Scheme of Mutual Interest is therefore required by Buckinghamshire County Council prior to its consideration of the planning application. There is a separate report on this Planning Committee agenda.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The planning application is for the construction of a new vehicular access road as the sole entrance to the proposed minerals extraction scheme currently an agricultural field. It also requires changes to The Frithe junction design.

2.2 The submitted plans show a new 'fourth arm ' on to 'The Frithe' junction, an existing controlled junction. The submitted details suggest the proposed daily volume of Heavy Goods Vehicles entering and leaving the site represents a relatively small increase on the traffic network. It is however accepted that an additional set of traffic controls as part of the fourth arm will be required. As a result, the timing arrangements would alter to comply with various aspects of traffic safety and necessary for maintaining traffic flow. There will be traffic routing arrangements (imposed in part through this application and in part through the separate BCC application). This will also involve the introduction of new traffic light control systems such as MOVA/SCOOT across a longer stretch of Uxbridge Road to mitigate the effects on traffic flow at this junction. Part funding from this development has been agreed through a S106 agreement.

2.3 The proposed construction of the new access road will involve the small loss of part of existing hedgerow screening on its site boundary. Where the existing hedgerow is proposed for removal, then the access would be remodelled for new carriageway and traffic lights, entrance gates and new boundary treatment accommodating requirements for visibility sightlines.

2.4 The existing hedgerow for the remaining part of the site and the neighbouring amenity and play area (within Slough BC) will remain physically unaffected. Although not part of this application (to Slough), a new 3m high soil bund will be constructed behind the hedge boundary along Uxbridge Road.

2.5 The application is accompanied by plans showing the site location, junction layout. The following is also submitted:

- Planning Statement

- Transport Statement
- Flood Risk report

- 2.6 In submitting this application, the applicant agrees in principle to fund the new highway junction works (as off-site highway works) to facilitate this development. If this scheme is supported, then negotiations for funding the build of the new junction will be necessary. It is planned to accommodate future upgrades of traffic measures along Uxbridge Road. Any amendments about the S106 funding will be reported to Committee.
- 2.7 The main significance of this application relates to the proposed access road into the proposed mineral extraction/inert waste landfill site, currently an existing large agricultural field.
- 2.8 Arising from the geography of this area, the western boundary of the proposed minerals site is public highway falling under the jurisdiction of Slough BC and affected by the proposed access. It does however mean that these planning considerations largely relate to highway matters (i.e. up to the back of the public footway).
- 2.9 Only the most north-eastern part of the site can possibly create a different access into the site from the public highway. This falls within the jurisdiction of Bucks CC but is not part of this application under consideration.
- 2.10 Although there could potentially be a northern access option for a 'fourth arm' onto the Church Lane junction, only partial evidence has been submitted about this alternative. For this northern option, submitted evidence shows a requirement for new land outside the public highway to facilitate this access. Further work would be necessary to establish whether or not necessary configuration for the highway and access can be obtained. The applicant states they are not intending to proceed with this option for this reason and require a decision on the application as submitted. Any potential northern access option will have consequences upon the impact on amenities of residential occupiers in George Green but additional mitigation measures have not yet been submitted or evaluated by Bucks CC.
- 2.11 If planning permission is granted a planning condition will have to be imposed preventing the construction of the access if the minerals extraction scheme does not obtain planning consent or does not proceed.
- 2.12 It is necessary to submit Slough's response in advance of the relevant Bucks CC Planning Committee so that our response can be given proper consideration when reaching their decision,
- 2.13 Members should be aware that minerals extraction represents a major engineering operation, albeit treated as a temporary activity, lasting between 10, possibly up to 15 years

3.0 **Application Site**

- 3.1 The access application site covers land within the public highway (eastern side of Uxbridge Road). The remaining part of the internal access road forms part of the application to Bucks CC. There are proposals for the

whole The Frithe road junction requiring changes to the junction design.

- 3.2 The proposed location for the access road is approximately 1.5km to the north of the Sainsbury's roundabout junction of the A412 Uxbridge Road. It is also about 3.5km to the south-west of the existing Five Points roundabout junction.
- 3.3 The A412 has a speed limit of 40mph along much of its length in this section of road, increases to 60mph in the road section between George Green and Five Points roundabout.
- 3.4 The A412 Uxbridge Road is a dual carriageway separated by a grassed central reserve. It forms part of both the Buckinghamshire and Slough strategic highway network.
- 3.5 Further north, it runs from Five Points roundabout along the A412 Church Road for approximately 4km before joining A40/M40
- 3.6 Part of this highway scheme affects the existing signalised junction with The Frithe. The Frithe is a 30 mph two way road providing access to the residential properties to the west of the site. An existing HGV restriction is in place along the length of The Frithe restricting HGV's larger than 7.5t, except for access
- 3.7 The Frithe has a two lane approach at the junction with the A412, providing sufficient width for a left hand turn lane and right hand turn lane at the junction. Uncontrolled pedestrian crossing facilities accommodate at grade crossing of the A412 Uxbridge Road to the north and south of the junction with The Frithe.
- 3.8 There is also access/ service road accessible from The Frithe in the immediate vicinity of the signalised junction with A412, which runs parallel to the Uxbridge Road.
- 3.9 There is an existing pedestrian and grass verge along the eastern side of Uxbridge Road. Immediately to the south, there is an existing Council Play Area as well as forming the northern boundary of the Rochford Gardens estate further away from Uxbridge Road.
- 3.10 On the matter of proximity of the 25.3 ha site proposed for mineral extraction and any adverse impact upon nearby residential properties, this is covered separately in the report about the Council response to Bucks CC on the mineral extraction site.
- 3.11 The access application falls within Flood Zone 3 as identified on the Council's Flood Map (Jan 2009).

4.0 **Relevant Site History**

- 4.1 Planning history of the site covers the site subject to the mineral extraction proposal, currently in agricultural use. This site falls within the Minerals Safeguarding Area in the recently approved Bucks CC Minerals and Waste Local Development Framework with some preliminary studies undertaken by Bucks CC (See separate report). There is future work to be done by Bucks CC on their Site Allocation DPD identifying new sites

during the plan period. In the event of no decision being made by Bucks CC about this scheme, then the suitability of this site, as a preferred scheme, would get raised during the larger assessment through the Bucks Minerals and Waste LDF Site Allocation DPD to meet anticipated demand.

The only traceable planning history for part of the land being subject to a 1960's housing scheme dismissed on appeal.

5.0 Neighbour Notification

- 5.1 Rochford Gardens: 1-69, 75,77 81-135, 139,141-159,163-169(o)
Uxbridge Road: 71,73, 249-285,291-299,301-321-330,321331-377(o)
Mirador Crescent 98,100,134,131B,131C,135,135,139
Dawes Moor Close:1.2,55,56,57, 58,59,60,5
The Frithe: 161-167(o)
One letter of objection received from 77 Rochford Gardens on the following grounds:

1. Critical absence of sufficient detail for
 - a) Effect on existing underground utilities, management of water during the development period and treatment of hedgerows as potentially road safety issues
2. Differences in parameters used for submitted data about likely traffic volumes and hours of operation
3. Concern about safety issues for the area which is mainly residential(over 200 houses) and the play area from the heavily trafficked roads.
4. The Bucks CC Minerals and Waste Strategy is out of date and should not be used to justify the application.
5. Previous consideration of this site gave it a ranking of 10th from a total of 11 and comparatively speaking the site remains unattractive. Unless a new assessment is forthcoming with a new ranking of the identified and new sites before any planning permission should be granted.
6. The Transport Statement makes wrong assumptions. As submitted, the scheme does not align with the traffic safety requirements. Besides pedestrians are crossing this busy highway outside of controlled crossing and account should be taken of these.
7. No information about flood risk in the access application.
8. No off street parking shown. There is a danger of onstreet parking along Uxbridge Road. This is unacceptable on traffic safety grounds
9. No details of foul sewerage from site facilities and waste water generally .

A letter of objection from 167 The Frithe sent to Bucks CC is set out and a

copy sent to Slough BC. Objections were raised on the following grounds:

- a) effect from the minerals extraction being so close to my home.
- b) need to explain how Bucks CC strategy justifies why mineral extraction should take place.
- c) where will the require amount of construction and industrial waste come from as a result of everyone being urged to recycle and reuse. What quarantine is there that only inert waste will be landfilled on this site.
- d) Large traffic volumes will be generated from this site, putting more traffic onto this busy road. The additional traffic movements created will slow down traffic, causing longer queues and poorer air quality.
- e) The planned hours of operation are all year round. What about school holidays, morning rush hour, school runs, Saturday morning lie-ins will be affect residential amenities. f
- f) Although dust mitigation measures are proposed, these are unlikely to eradicate the dust entirely. Residents will suffer for more than 10 years.
- g) Noise from the plant on site will cause a nuisance affecting the quality of living for people living in the area.
- h) Odour and other environmental repairs

Mineral extraction and landfilling of construction and inert waste close to residential areas will cause nuisance.

5.2 Wexham Court Parish Council

5.2.1 Wexham Court Parish Council registers an objection to the above application for amended road junction arrangements to serve the mineral extraction site proposed by Brett Aggregates Ltd.

5.2.2 This application raises serious concerns relating to road safety; traffic movements and congestion; and environmental health.

5.2.3 A separate objection has been lodged against the proposed minerals extraction scheme to Bucks CC.

5.3 MP for Slough

5.3.1 A letter of objection has been received from Fiona MacTaggart MP sets out the concerns. It has references to the access application and application under consideration by BCC.

a) Prematurity of the scheme. The scheme fails the test of the current Policy by not being an extension, access is poor and its proximity to residential properties and the play area have a detrimental effect upon these properties. No sequential test has been supplied.

b) The scheme should be rejected on the grounds that the proposed access is poor and if Bucks CC is minded to support the scheme, it should be on the basis of a northern access. This would relocate the plant to a site away from large number of homes and a horticultural business with sensitivity to dust and other environmental disbenefits.

6.0 **Consultations**

6.1 **Highways and Transport**

6.1.1 Transport evidence has been evaluated by Slough BC's consultant Traffic Engineer for a new traffic scheme and junction design creating a 'fourth arm' onto the existing The Frithe controlled junction.

6.1.2 A preferred design has been chosen by the applicant's consultant from a set of three options for The Frithe junction. It results in a new vehicular entrance, as the single main access, into the site on the eastern side of Uxbridge Road.

6.1.3 The Transport submission also makes passing reference to 2 alternative locations which might replace their preferred access. Any decision about the access point affects the layout of the site operations. As currently proposed, the 'southern' access road links with the aggregate sorting plant located immediately north of the large Nursery Glasshouse and some nearby Rochford Gardens houses. The rest of the site will be quarried with the remaining areas having stored soils.

6.1.4 Previous preliminary work for this site identified two possible locations for the access road, north and south on Uxbridge Road. Only access from Uxbridge Road is being considered.

6.1.5 An alternative 'in/out' entrance option was identified midway along the eastern side of Uxbridge Road. However our consultant traffic engineer judges that this may unduly limit traffic turning movements and overly encourage vehicle trips towards Slough, rather than divert optimal trips towards M40.

6.1.6 A preliminary road design was recently submitted for the northern access option. Before this, their response had been that the environmental disbenefits were too obvious. Following its submission, the SBC Transport Consultant has advised that a fourth arm onto Church Lane can be achieved without requiring any residential land. There is perhaps less certainty about the need to acquire other land on the west side of Uxbridge Road. The applicant states that there is no intention to acquire new land and, even with the revised road layout, it will still have an adverse impact on the residential properties closest to the northern access option. If this were to be further examined then evidence about noise attenuation, air quality and other matters on nearby residential properties would be required. In the absence of this, it is necessary to make a decision about the submitted access application.

6.1.7 A variety of factors are taken into account when assessing their preferred scheme for traffic reasons:

- 1) traffic safety during manoeuvres being set by the traffic controls,

- vehicles (including cycles) and pedestrians crossing.
- 2) the most optimum flow of traffic, reducing queues and congestion time where possible.
 - 3) capacity of the junction and the road itself to handle the increase plus the existing/forecast traffic volumes. Any change can be considered alongside environmental factors associated with noise, air quality and residential amenities.
- 6.1.8 It is necessary to comply with national traffic guidelines. Matters relating to other traffic impact upon noise, dust and air quality are dealt with in section 6.4 & 6.5
- 6.1.9 The consultant Slough BC traffic engineer has sought small but significant changes for 'The Frithe' junction. These are important to navigate the junction and fully meet government guidance.
- 6.1.10 Now a revised scheme has come forward, negotiations are still continuing with the applicant to fully meet the Section 106 package being sought for transport measures, including partial funding of a new SCOOT/MOVA scheme along Uxbridge Road.
- 6.1.11 The Transport S106 requirement is:
- 1) Full site design for the addition of new arm-including combined SCOOT/MOVA detection and combined UTC/MOVA functionality and its part funding
 - 2) Site refurbishment-new controller, new signal equipment throughout, new comms equipment, new detection, new underground infrastructure
 - 3) Production of MOVA dataset
 - 4) Production of all necessary signals documentation (eg controller specification)
 - 5) Factory acceptance testing and site acceptance testing
 - 6) Full site validation of VA and MOVA operation
 - 7) Financial contribution to cover instalation configuration
 - 8) Financial contribution towards linking junctions on Uxbridge Road using UTC fixed time plans
 - 9) Toucan crossings(i.e. 3 sets) on all arms of the junction except The Frithe
 - 10) Traffic routing by travelling north out of the site.

On the basis that the above requirements are fully met, then no Transport objection would be raised. It will be necessary to report any further changes on the funding to Committee.

6.2 Drainage

- 6.2.1 This part of the site falls within Flood Zone 3. A Flood Risk Assessment has been supplied. This area would flood in the event of localised flooding. The restoration scheme proposes a Flood alleviation scheme for a designated area immediately behind the Uxbridge Road hedgeline to increase the capacity of water here so that it is away from sensitive housing areas. This response also covers the other application before BCC but is difficult to disaggregate. On a long term basis after restoration of the site, I am confident that there will be no long term flood impacts

arising after this temporary development taking place. The proposals for the Flood alleviation scheme represent a positive enhancement and in principle the area identified is in a good location and of a good size for flood storage. To obtain this commitment, it will be necessary to obtain 'rights to flood' over this area of land by way of a S106 agreement, together with rights to connect into this area and have appropriate planting.

6.2.2 However any storage would be there to create extra storage above that which existing anyway and attenuation to slow the flows down. The calculations in Table K1 of 8,360m³ do not mention that a large proportion of that area is already being filled with flood water in the existing situation so it is not 8,360m³ of new storage. The FRA does not indicate how the water will flow into or out of the storage area. Bucks CC will need to decide on this.

6.2.3 I am concerned that the storage of overburden and soil is in Flood Zone 3. Although this section describes the facilitation of movement of flood water the land levels in this western side of the site will be raised on a temporary basis and the flood water will need to go somewhere else. There doesn't seem to be provision for this and Bucks CC needs to clarify this.

6.2.4 The proposed flood storage area will be considered as one of the options for the Slough Flood Alleviation Scheme (FAS) which is currently ongoing and the sizing, location and inlet/outlet conditions will be considered in more detail.

6.3 Environment Agency

6.3.1 At present, the Environment Agency has raised no objection against access application under consideration by Slough BC.

6.3.2 For the sake of completeness, reference is made to the EA's view stating the Bucks CC application falls within Source Protection Zone 2 (for public water abstraction of potable water). Members should note the EA maintains its objection to the application before Bucks CC at the time of writing the report. A separate report on the agenda sets out a recommended response to Bucks CC under the SMI procedure for that application.

6.4 Neighbourhood Protection - Environmental Health

6.4.1 According to the noise assessment, noise emanating from the site itself and from the haul road will not increase existing background noise levels to an unacceptable level. A noise monitoring facility will be located near Rochford Gardens. In the event of complaints arising from the residents from Rochford Gardens and Uxbridge Road, the submitted report does not state what mitigation might be applied. There may be resource implications to this Council dealing with these complaints.

6.4.2 The other main area of concern is dust along the haul road unless it is well managed to not affect residents on Uxbridge Road and Rochford Gardens. The effect of dust on the Rochford Gardens Play area should be taken into account.

6.5 Environmental Quality – Land Contamination/ Air Quality

6.5.1 These comments relate specifically to environmental impacts pertaining to the new road access and amended junction arrangements.

6.5.2 For the sake of completeness, comments relating to the Bucks County Council application are also mentioned in this report. These relate to the extraction of minerals, and infilling with construction and demolition waste. All of these are closely interrelated.

6.5.3 When consideration is given to northern or southern access options, then the Team Leader, Environmental Quality remains neutral over any additional environmental constraints or benefits for Slough residents arising from a northern access to the site. There may actually be a slight noise related benefit with a southern access as it locates the majority of the extraction activity slightly further away from the majority of Slough residents. The northern access option is not part of the current application.

6.5.4 The plant itself will be located on the south-eastern corner of the site. The plant is linked by the internal road to the proposed junction. It is intended to build a 3m high soil bund with a 2m high acoustic fence on top along the southern boundary between the access road and Rochford Gardens Estate properties. The requirement for the bund arises when considering reducing the distance between the workings and the boundary of residential properties is being proposed to overcome the consequences of this. The extraction is estimated to take 7-10 years.

6.5.5 This section addresses matters such as noise, dust and air quality.

Impact of gravel extraction upon Environmental Quality

6.5.6 This part provides a general picture, repeating content set out in the separate SMI report for the Bucks CC application. There are indirect impacts from the choice of access point. This is nevertheless useful background information for members.

6.5.7 Gravel extraction is normally a damp method process due to the high water table. There are principal dust impacts arising from drying spoils, bagging area and soil stripping, and HGV movements. The principal noise sources will be stripping equipment (excavator, dump track and bulldozer) the extraction equipment (excavator and dump tracks), pumps, processing plant and HGV's as well as the soil moving to create noise bunds to overcome objections from the proximity of the workings. The waste process will require a permit to operate from the Environment Agency. No part of the process will require a local authority permit to operate.

6.5.8 The soil stripping stages and bund formation (soil stripping), will produce peak noise levels that will breach the 55dB(A) threshold due to the proximity of the operational workings to residential. This impact will be unavoidable and necessary to ensure residents are protected during the longer term operational phase (excavation and processing) of the site.

Dust impacts

6.5.9 Dust impacts will be at their most severe during (soil stripping and bund formation). The site should be regularly damped down and the newly formed bunds seeded early into their construction to minimise nuisance dust.

6.5.10 The hours of operation 07.30 to 18.00 (Monday to Friday) and 07.30 to 13.00 (Sat) and no working on Sundays and Bank Holidays are consistent with similar sand and gravel operations in the region and nationally.

6.5.11 A number of standard measures are required to minimise dust emissions including water spraying, screens and enclosures, enclosure of the bagging area, gravelling of haul roads, use of road sweeper, damping down and speed restrictions, and wheel wash. Further, dust monitoring using BS Frisbee gauges and PM₁₀ monitor at the boundary of Rochford Gardens will be undertaken. The results of the monitoring should be kept on the site and sent to the MPA on a quarterly basis. It is recommended that these dust mitigation measures shall be made a condition on the planning permission.

Noise Impact

6.5.12 Noise mitigation measures includes erection of noise bunds, regular servicing of vehicles, and grading of haul roads, and also the cessation of using reverse beepers (which is a common cause of high community annoyance) and operating working hours. The approach in the Southdowns Environmental Noise Assessment: Study is acceptable. The two definitive noise limits that are widely applied and adopted for operational mineral workings are:

- The noise level shall not exceed 55dB(A) $L_{Aeq, 1 \text{ hour}}$ (free field) between normal operating hours as detailed above
- The noise levels shall not exceed 70dB(A) $L_{Amax, 1hour}$ (free field) for noisy short-term activity that cannot meet the limits for normal operations. Such activity as advised above, includes soil stripping and construction and removal of bunds. These short-term activities should not exceed 8 weeks in a year at the nearest residential premises, or noise sensitive properties.

6.5.13 The road traffic noise assessment and criteria uses CRTN, DMRB and IEMA guidance. The assessment of significance is based on the magnitude of the noise impact.

6.5.14 It is noted the site has relatively low background readings, of the order of 42 - 51 dB(A) during the daytime with a mean average of 46 dB(A). The A412 is the dominant environmental noise source in the area. The adoption of the 55dB(A) $L_{Aeq, 1 \text{ hour}}$ (free field) is accepted. The average background level is fairer method of assessment over the longer term exposure to residential receptors.

6.5.15 The location of the 37 noise sensitive receptors used for this noise assessment forms a good spread around the site and are acceptable to determine significant noise impacts. The noise model uses BS5228: part 1 guidance and a simple correction for the bund barrier. The model therefore assumes worse case assessment. The model approach is logical. The model found breaches of the noise limit, and required mitigation in the form of 2m acoustic barriers on the 3m southern bund. This mitigation will need to be incorporate and made a condition of the permission.

6.5.16 The results of the noise assessment with this additional acoustic barrier in place confirms (worst case) that the noise limits will be complied with at all residential receptors. It is noted the highest levels will affect Rochford

Gardens. The only exception is Slough Nursery R36 where the noise limit will be breached, but this site is not a relevant sensitive noise receptor.

- 6.5.17 The short-term noisy activity relating to bund construction, overburden stripping and restoration is likely to give rise to noise and dust complaints. It is this early aspect of the works that needs to be carefully communicated and managed from both the noise and dust emissions. A lot of the goodwill will be enhanced or destroyed at this stage, and it is advisable the applicant engages with residents through regular written notifications, and preferably through meetings.
- 6.5.18 It is clear that Rochfords Gardens properties are the most sensitive locations with respect to noise impact on Slough properties. The short term noisy works will be compliant with the NPPF technical guidance criterion of 70dB(A) $L_{Aeq, 1 h(\text{free field})}$ for periods of up to 8 weeks in any year. The calculations and assumptions appear sound in my view, they are worse case. Nevertheless the noise levels will be high and it is recommended that these works take place during the autumn or winter months, when resident's windows are likely to be closed. Also this will assist with respect to dust impacts as the soil stripping and bund formation will be carried out during damper conditions.
- 6.5.19 It is recommended that these noise mitigation measures and hours of operation shall be made a condition on the planning permission.

Traffic

- 6.5.20 Traffic noise generation will not give rise to significant noise impacts. The cumulative impact of road traffic, Uxbridge Road and mineral extraction on residential addresses in Uxbridge Road is demonstrated to give rise to between 1.2 and 2.8 dB which using the IEMA/loA guidance is considered a slight impact on those residents.

Proposed noise mitigation for Rochford Garden properties

- 6.5.21 It is recommended that the noise mitigation measures proposed by the applicant are accepted and shall be made a condition on the planning permission inclusive of additional measures proposed to protect Rochford Gardens.
- 6.5.22 The applicant proposes to install a semi-permanent noise monitoring system on the site boundary of Rochford Gardens. The applicant needs to clarify their meaning of semi-permanent noise monitoring system to Bucks CC.
- 6.5.23 A condition needs to be stipulated on the planning permission specifying a noise monitoring programme which includes all noise monitoring arrangements, how often noise monitoring shall be undertaken, any breaches of the noise limits on the site, any corrective action applied, and any complaints received? The monitoring reports shall be submitted to the MPA on a quarterly basis.

Air Quality Impact

- 6.5.24 The principal impact will be dust and smaller particulate matter arising from site activities.
- 6.5.25 The NPPF guidance stipulates a dust assessment must be undertaken, which will identify the baseline conditions, to identify all activities on the site that are likely to give rise to dust, mitigation measures to prevent dust emissions, and monitoring proposals to monitor and report dust emissions

and to ensure compliance with environmental standards or limits placed on the site and to enable an effective response to complaints. Dust impact will need to be dealt with as a statutory nuisance by the NET Team under the Environmental Protection Act 1990, section 79(1)(d). In addition if residential areas are at risk of PM₁₀ exposure exceeding the AQS limits further measures will need to be considered.

6.5.26 This site is not within or close to any of the Air Quality Management Areas within Slough, additionally the site traffic (95%) will not be moving through the Slough Town Centre AQMA but will be existing north through South Bucks towards the M40. The significance of air quality impacts are based on the position paper by the Institute of Air Quality Management (IAQM) which is very similar to EPUK guidance document: Development Control: Planning for Air Quality.

6.5.27 The soil stripping works and bund formation, phase 1 works will be the most dusty, and it is advisable again that this work is undertaken during the damper months, in Autumn/Winter. The dust risk assessments are outlined in Table 6.1. The assessments are very simplistic but in the absence of defined guidance have to be qualitative. It is a mute point as to whether the play area is or is not covered by statutory nuisance provisions, as it is still a sensitive receptor in my view.

6.5.28 The DMRB is a basic screening model but for the purposes of the assessment is sound. There is no diffusion tube data in the locality. In this case, the use of background concentrations on the DEFRA background map is acceptable. This shows low concentrations within the immediate area. Assessment of Air Quality using the DMRB model, thereby suggesting the significance of the impact is of a small magnitude and the impact is negligible where the predicted levels fall well below the AQS standards.

Dust and Air Quality Monitoring

6.5.29 The applicant proposes monitoring due to the close proximity of the extraction site. It is recommended a condition be stipulated on the planning permission specifying that the applicant prepares Dust Monitoring programme/plan (DMP). This programme/Plan shall include details relating to the type of monitoring to be undertaken, dust limits (based on soiling rate or effective area coverage), PM₁₀ limits, details on how often the monitoring results will be reported to the MPA, details of any breaches of the dust limits on the site, details of complaints received in respect of dust and air pollution, and details relating to any corrective action applied? The monitoring reports shall be submitted to the MPA on a quarterly basis.

6.5.30 The dust mitigation measures proposed by the applicant as detailed in section 7.2.4 of the Environmental Statement are accepted and shall be a made a condition on the planning permission. There should be no odour impacts relating to this process as the materials being imported are construction and demolition wastes and therefore organic contamination is likely to be very low.

6.6 SBC Tree Officer

6.6.1 The new access will require removing at least enough hedge to accommodate the entrance road and paths. Along the roadside boundary

of the field, which is use for arable crops at present, is a well kept Hawthorne hedge which has minimal weeds of elder and elm within it. This loss of vegetation will be noticeable from directly opposite the entrance but will make little impact from further along the Uxbridge Road as the remaining boundary is hedged is extensive and there is also a hedge extending south on the roadside boundary of the adjacent park. I believe the intention is to have traffic lights controlling the junction and that therefore there will not be a need to remove further hedging to accommodate sight lines.

6.6.2 If this is the case I would not object to the new access as it will have little impact on the vegetation of the area.

6.7 Heathrow Safeguarding

6.7.1 No safeguarding objection received

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The application is considered alongside the following policies:

National Planning Policy Framework.

Slough Local Development Framework, Core Strategy 2006 – 2026 Development Plan Document, December 2007 incorporated into the Composite Local Plan for Slough 2013

Core Policy 1 - Overarching Spatial Vision,
Core Policy 5 - Employment,
Core Policy 7 - Transport,
Core Policy 8 - Sustainability and the Environment,
Core Policy 9 - Natural and Built Environment,
Core Policy 10 - Infrastructure.

Adopted Local Plan for Slough 2004 :
EMP2 - Criteria for Business Developments,
EN3 - Landscaping Requirements,
EN24 - Protection of Watercourses,
CG10 – Heathrow Airport Safeguard Area,
T8 - Cycling Network and Facilities.

Saved Policies from 2001 Replacement Minerals Local Plan

Saved Policies from 1998 Waste Local Plan

7.2 The main planning considerations are therefore considered to be:

- Principle of the new access relating to existing land use planning policy
- Transport and Highway Design Implications
- Environment Quality including Noise, Dust and Air Quality

- Impact on adjoining land uses
- Flood Risk/ Drainage/ Contamination
- Restoration for after use in the event of the activity going ahead

Assessment

8.0 Principle of the redevelopment & land use

8.1 To determine this access application, it is necessary to differentiate between the application before this Council and the one before Bucks CC. It is recognised that any new access will be integral with the remaining scheme, and have overlapping concerns.

8.2. Government Guidance

8.2.1 The 2012 Government Guidance known as the National Planning Policy Framework applies to mineral extraction and local transport infrastructure associated with such development. These are not considered to be inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purpose of including land in the Green Belt where only temporary permissions are sought. The National Planning Policy Framework also emphasises that decisions should be made within the plan-led approach, in this case the Minerals and Waste Local Plans. The NPPF has supporting Technical Guidance for minerals planning.

8.2.2 It will be necessary for the other application now before Bucks CC to evaluate whether or not significant harm arises from changes of the physical or visual character for this temporary period of ten years or more. This will be examined against the importance of meeting demand for these materials (where there are underground reserves) to justify offsetting harm as long as matters such as noise, dust and odour are mitigated.

8.2.3 Government advice also makes reference to the choice of location for extraction within a plan-led approach which is capable of having less impact upon the highway network by avoiding additional congestion or creating a road safety problem.

8.2.4 It means appropriate contributions can be sought for implementation of any off-site highway works and other transport improvements such as pedestrian and cycle facilities. These can maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site. The proposal incorporates an appropriate restoration scheme and where potential exists, can reduce any flood risk in future years.

8.2.5 There are similar references about the choice of landfill sites in Government guidance.

8.2.6 Reference is still made to the Saved Policies of the Waste Local Plan for Berkshire which is still separate from the Composite Slough Local Plan. The majority of the site (outside of the Slough application) is covered by the approved Bucks Minerals and Waste Core Strategy.

8.2.7 It is therefore necessary to have regard to the National Planning Policy Framework, the July 2013 Composite Slough Local Plan and the Saved policies in the Minerals and Waste Plans for Berkshire when dealing with this access application.

8.2.8 It is also necessary to acknowledge the current Buckinghamshire Minerals and Waste LDF Core Strategy but no Site Allocation document for their area.

9.0 **Sustainability**

9.1 The applicant wishes to obtain primary aggregates from this land. It is based upon the case that sand and gravels from primary sources are still required. It also proposes to fill the void by landfilling inert materials.

9.2 Local Planning Authorities have to pay regard to the guiding principles of the sustainable development as reflected in the National Planning Policy Framework. Where minerals are a finite resource, then every effort is necessary to prevent the sterilisation of these reserves by allowing extraction before other developments take place. In this case, the land is within designated Metropolitan Green Belt and once completed, it would return to open land.

9.3. Furthermore aggregates provision represents a vital economic driver for growth as set out in the NPPF. To achieve this, Minerals Planning Authorities are required to protect identified mineral reserves capable of extraction and keep a 7 year landbank which continues supply of aggregates based upon the previous 10 years of sales. It also requires Mineral Planning Authorities to maximise the opportunity for using recycled aggregates and reduce amount of waste going into landfill.

9.4 There are very few remaining mineral reserves in Slough. Where demand arises from development taking place in Slough, it would be necessary to obtain these materials from outside of Slough.

10.0 **Impact on adjoining sites**

10.1 Policy EMP2 of the Local Plan requires that: *“there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”*.

Core Policy 8 states *“Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”*.

10.2 There will be major earth moving for bund construction along the site boundaries and soil stripping across the site to expose the gravel during these early stages. It is necessary to build these bunds because of the proximity of nearby residential properties for the extraction operation. The alternative would be to reduce the size required for extraction.

10.3 The Team Leader , Environmental Quality reports that these noise and dust generation-related activities are likely to impact upon the amenities of nearby residential properties during these early stages, Once the bund is complete, further operations will take place away from the immediate

boundaries.

- 10.4 In assessing the planned mitigation measures, these are accepted by the Team Leader, Environmental Quality as being compliant with national guidance. The importance of the good management is stressed.
- 10.5 There will be some continuing limited impact from noise and dust relating to lorry traffic along the haul road to The Frithe junction and the plant operation itself upon the residential occupiers and the play area. The plant area is located a short distance from Slough residential properties but closer to the glass nursery buildings. This is treated as a medium noise sensitive receptor. It is a matter for Bucks CC to determine the impact on the nursery business.
- 10.6 It is clear that the landscape character and visual appearance will significantly alter during the time period of 10 to 15 years. The submitted evidence claims that after restoration and its return to agricultural use, then it will reinstate landscape character and visual appearance of this field.
- 10.7 The SBC Tree Officer raises no objection to this scheme on the basis:
- 1) the land will be restored back to agricultural use.
 - 2) during the mineral extraction , the Uxbridge Road hedgeline is being Retained and other soft landscaping on the Slough site boundary. There will be a 4m setback from the base of the proposed construction bund to the hedgeline.
 - 3) the new bund is necessary to mitigate the amenity detriment arising from the operations.
 - 4) best practice methods are used for soil moving and storage
- 10.8 This area has always been safeguarded for mineral extraction. Where Bucs CC identifies a proven need for minerals from this site, even when involving a change to the open land within the green belt, and not judged unduly onerous i.e. keeps within parameters set out in government guidance, it can decide to grant planning permission. It would be necessary for Bucks CC to identify any other material planning considerations preventing this scheme being supported.
- 11.0 **Traffic and Highways Implications**
- 11.1 Core Policy 7 (Transport) of the Slough Local Development Framework, Core Strategy 2006-2026, requires that: *“All new development should reinforce the principles of the transport strategy as set out in the Council’s Local Transport Plan and Spatial Strategy, which seek to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.*

Development proposals will, either individually or collectively, have to make appropriate provisions 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.*

- 11.2 The submitted Transport Assessment states that the proposed use would generate relatively few heavy goods vehicle movements. Where highway enhancements are fully funded and implemented, then there would be no adverse impact on the capacity or the safety of the highway. Once the landfill is complete, then the restoration work will include the removal of the highway and reinstatement of the hedge.
- 11.3 In reconfiguring this junction and with the inclusion of works (for incorporating MOVA/SCOOT through part S106 funding), then the Head of Transport can support this scheme on highway grounds. Now the applicant is willing to fund in principle, then this needs to be finalised before the final decision is made. Requirements for traffic routing would principally be sought through the Bucks CC minerals application.
- 11.4 Where the requirements of the Head of Transport for the southern access are met, then the case for a different access could only be supported where the findings reasonably demonstrate that the northern option minimises disbenefits to residential amenity and can be delivered.
- 11.5 A potential northern access option would require different noise attenuation measures for the nearest George Green properties than that currently shown and possibly some land acquisition, even if this is achievable.
- 11.6 As it now stands, gravel extraction would take place in the northern half of the site (i.e. closer to George Green) during the first half of the extraction period. Noise and disturbance would also arise in this locality at the beginning when the soil stripping takes place. Although there are a greater number of residential properties in Rochford Gardens closer to haul road on route to the plant area, it is likely that the noise-generating activities and other impacts upon the George Green residential properties would not be less than those affecting Rochford Gardens properties. Properties in George Green and Rochford Gardens facing the field would have soil bunding placed just outside the garden boundary.
- 11.7 Unless these findings were to put into the Site Allocation DPD process, then Bucks CC will not be in a position to assess this site against other potential sites in their county.

12.0 **Flood Risk and Drainage /Ecological Impact**

- 12.1 Core Policy 9 (Natural and Built Environment) of the Slough Local Development Framework, Core Strategy 2006-2026, sets out that *“Development will not be permitted unless it protects and enhances the water environment and its margins, and enhances and preserves natural habitats and the bio-diversity of the Borough, including corridors between bio-diversity rich features.”*

Policy EN24 of the Local Plan 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."

12.2 The SBC Drainage Engineer and the Environment Agency are not raising objections to this access application subject to the incorporation of the Flood Alleviation measures including suitable planting into the main scheme. This is covered in the separate report before Committee.

12.3 The applicant has agreed to create a flood risk area with agreement for this Council linking its drainage into this area for this purpose.

13.0 **Summary**

13.1 This report sets out the principal elements of this application. It deals with the planning assessment of the proposed road access. The separate report deals with the consultation for this major development on land under the jurisdiction of Bucks CC.

13.2 On the basis that all of the transport requirements will be fully and requirements contained within a S106 agreement, and finally confirmed by the applicant, then no highway objection is raised. When dealing with other factors that might arise by its link to the internal road, then the planning assessment by Bucks CC needs to cover these. It is not considered the amounts of daily traffic, in itself, will affect traffic movements along Uxbridge Road. Any alterations received after the report deadline will be reported to Committee.

PART C: RECOMMENDATION

14.0 Delegate back to Strategic Lead Planning Policy for completion of S106

15.0 **PART D: LIST OF CONDITIONS AND INFORMATIVES**

15.1 **CONDITIONS**

1. The development hereby permitted shall be commenced within five years from the date of this permission.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be implemented only in accordance with the submitted application, plans and drawings hereby approved by the Local Planning Authority.

Location Plan.2031A/Figure 1.. Dated Jan2013. Received..8/4/2013
Site Boundary.2031A/Figure 3.. Dated Jan 2013. Received.8/4/2013
Proposed Junction Layout..G741/301/C...Dated 12/12/2013. Received..
19/9/2013

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area.

3. This permission is for a limited period of 10 years expiring on 31 December 2023 when, unless prior permission has been given by the Local Planning Authority for retention for a further period, the plant and work(s) including access junction shall be removed and the site reinstated in accordance with the details of the restoration scheme in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

REASON In order to reinstate openness of the Metropolitan Green Belt in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013

4. The means of access, including alterations to existing points of access between the application site and the highway shall be formed, laid out and constructed in accordance with specifications and with such sightlines in further details to be approved by the Local Planning Authority prior to commencement of the development. On completion of the proposed access, other access points shall be blocked off.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy , Development Plan Document, December 2008 , incorporated into the Composite Local Plan for Slough, July 2013

5. The site shall cease to receive vehicles carrying or depositing materials after 31 December 2023 or sooner should the quarry be closed and restoration completed by an earlier date. No access is permitted to vehicles other than those using land identified in the planning application site known as 13/ 00575/CC.

REASON To ensure that the restoration of land to beneficial after use is achieved within a reasonable time limit in line with any planning permission for mineral extraction and infilling of inert waste materials running with the land in accordance with the Core Policy 8, Core Strategy Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

6. All heavy vehicles leaving the site shall pass through the wheelcleaning equipment to prevent mud being taken onto the public highway.

REASON. In the interests of highway safety in accordance with Core Policy 7 of the Core Strategy , Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013

7. No trees, shrubs or hedges forming the boundary of the site shall be felled, lopped or uprooted without the prior written consent of the Local Planning Authority. Any tree so destroyed shall be replaced in the planting season immediately following its demise.

REASON To ensure that the proposed development does not prejudice the amenity of the area in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008, incorporated into the Composite Local Plan for Slough, July 2013

8. This scheme shall not be formed and traffic commences using the access junction onto Uxbridge Road until development for the adjoining site is temporarily permitted by Buckinghamshire County Council. Temporary landscaping and other protective measures shall be installed within the first six months of the access junction being formed.

REASON To ensure the comprehensive development of the site in accordance with Core Policy 8 of Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

9. Before the new access road hereby approved is brought into use, screen bunds and fencing shall be constructed and the protective landscaping be planted in the first planting season in accordance with drawings submitted with the application.

REASON To protect the amenities of the neighbouring residential occupiers whilst operational development is taking place during the life of the quarry.

10. The site shall be subject to a scheme of restoration (or included within a scheme for the restoration of adjacent land) to be agreed with the local planning authority.

REASON To protect the longstanding openness and amenity of the Metropolitan Green Belt in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

INFORMATIVE(S)

1. The applicant is advised that this temporary permission is separate but directly relates to the temporary scheme known as 13/00575/CC in the event of it being granted temporary planning permission by Bucks CC.
2. The applicant is advised of the S106 agreement with Slough Borough Council accompanying planning permission P/04317/001
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.