



## **Planning and Economic Development Policy Advisory Group (SBDC)**

**Monday, 11 June 2018 at 6.00 pm**

**Room 6, Capswood, Oxford Road, Denham**

### **A G E N D A**

This Policy Advisory Group meeting is not open to the public

Item

1. Evacuation Procedure
2. Apologies for Absence
3. Minutes (*Pages 3 - 6*)  
  
To receive the minutes of the meeting held on 5 April 2018
4. Declarations of Interest
5. Report from Members
6. Current Issues
7. Draft Response to current consultation on Western Rail Link to Heathrow (*Pages 7 - 14*)
8. Verbal Update from the Planning Enforcement Manager
9. Exempt Information (if required)

The Chairman to move the following resolution:-

“that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in part 1 of Schedule 12A to the Act.”

**Note:** All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman’s discretion.

**Membership: Planning and Economic Development Policy Advisory Group (SBDC)**

Councillors: J Read (Chairman)  
G Hollis  
J Jordan  
M Lewis  
G Sandy

**Date of next meeting – Thursday, 13 September 2018**

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**NOTES OF THE PLANNING AND ECONOMIC DEVELOPMENT POLICY ADVISORY GROUP****Meeting - 5 April 2018**

Present: J Read (Chairman)

Also Present: P Hogan, W Matthews

Apologies for absence: M Lewis and G Sandy

After waiting 15 minutes following the meeting start time, the meeting of the Planning & Economic Development PAG remained inquorate. As none of the items on the agenda required a decision to be made by the Portfolio Holder, those Members present agreed to discuss the reports on an informal basis only. Reports requiring a decision would be considered by Cabinet on 17 April 2018.

**93. MINUTES**

The minutes of the meeting held on 1 February 2018 were received.

**94. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**95. REPORTS FROM MEMBERS**

None.

**96. CURRENT ISSUES**

The Head of Planning and Economic Development informed Members that a meeting would be taking place on week commencing 9 April with the Barrister leading the Council's Local Plan submission. The Group felt that this was a positive step and stressed the importance of progressing the Local Plan as quickly as possible.

**97. LOCAL ENFORCEMENT PLAN**

A report was considered which sought approval from Cabinet to introduce a Local Enforcement Plan for the District. Members were advised that the proposed Plan aimed to set out clear priorities for enforcement and clear phases and timescales for investigations to promote greater consistency in the service provided. Adopting a Local Enforcement Plan would also ensure that the Council is compliant with national guidance set out in the National Planning Policy Framework.

It was noted that the proposed Plan would represent a shift towards a more proactive enforcement policy for the District, which would address concerns raised by Members regarding delays in the enforcement process. The Plan set out four priority levels, which

would allow the Council to prioritise investigations according to the severity of the breach of planning control. Members felt the priority levels should be included as a separate appendix, so that they could be updated when necessary without the need to update the entire Plan. It was proposed that Temporary Stop Notices be used as a tool to control sites where breaches have taken place and give the Council the opportunity to consider whether further action should be taken.

Members noted the 8 Investigation Phases set out in the Plan, together with the associated timescales and performance standards which would be set against each phase. In reference to Phase 6, Members felt that compliance site visits should be conducted sooner after the end of the compliance period. It was advised that successful prosecutions carried out under the Proceeds of Crime Act identified in Phase 7 could lead to significant financial penalties for offenders, and would send out a strong message regarding the Council's strict enforcement policy.

A concern was raised regarding the lack of enforcement action taken against breaches of planning conditions in the District. Members were informed that the proposed Local Enforcement Plan would simplify and streamline the enforcement process whilst giving officers more tools to tackle breaches. It was advised that an integrated software system which could be accessed by the Planning, Building Control and Enforcement teams was being developed and it was hoped that this would contribute to a more efficient enforcement process.

#### 98. **HEATHROW AIRPORT EXPANSION CONSULTATION**

A report was received which detailed the Council's response to Heathrow Airport's Expansion Consultation. The response included concerns over increased HGV traffic around borrow pit sites, locations of flood storage sites, noise and air quality. Of particular concern was the cumulative impact from the various projects proposed in the Iver area.

Members noted a number of transport issues identified as part of ongoing discussions including sustainable transport options, rail and bus routes, access roads and car parking. It was advised that the Council would not encourage the location of freight facilities within the District due to the associated increase in HGV traffic.

Members were informed that the Council would support the longer night flight ban in the upcoming airspace principles consultations; however concerns would be raised over flight path options over rural areas.

*Note: Councillors P Hogan and W Matthews left the meeting at 7.28pm.*

#### 99. **HS2 WORK AND RESOURCING REPORT**

A report was presented which updated Members on the work of the HS2 project and the resources required. The report also included an update on the work of the Colne Valley Regional Park Panel, including the programme to deliver additional projects approved by the Panel.

It was noted that a concept plan had been produced by the London Borough of Hillingdon for the Hillingdon Outdoor Activities Centre and an application for temporary planning permission would be submitted in due course to move the project to Denham Quarry. Members were also informed that the Department of Transport had made a decision that the relocation of the Heathrow Express depot would now not be going ahead. Further information would be sought to ascertain what the wider implications of the decision would be, as there was uncertainty over how this would affect related projects.

It was advised that the Service Level Agreement and Funding Agreement had now been signed which would provide upfront funding for the costs of the HS2 Team.

100. **EXEMPLARY PLANNING SERVICE ACTION PLAN**

A report was presented which set out the key principles for the delivery of an exemplary Planning Service and an Action Plan for doing so. It was noted that an update would be included in the Cabinet report setting out the short term actions which had been completed to date. Members felt that the officer initials should be replaced with officer post titles to ensure consistency. It was requested that a refreshed report be brought to the PAG in the autumn to assess how the changes had been implemented.

The meeting terminated at 7.45 pm.

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<b>SUBJECT:</b>	<i>Western Rail Link to Heathrow (WRLtH)- Consultation</i>
<b>REPORT OF:</b>	<i>Cllr John Read</i>
<b>RESPONSIBLE OFFICER</b>	<i>Steve Bambrick</i>
<b>REPORT AUTHOR</b>	<i>Sukhpreet Khull,01494-732728, SKhull@chiltern.gov.uk</i>
<b>WARD/S AFFECTED</b>	<i>Iver Village and Richings Park and potential traffic impacts over a significant part of South Bucks District.</i>

### 1. Purpose of Report

Network Rail are holding a statutory consultation between 11<sup>th</sup> May to 22<sup>nd</sup> June 2018 on Western Rail Link to Heathrow (WRLtH). The Council has sought an extension to early July 2018 which has been agreed verbally. This report sets out the main headline issues that have been identified by Officers within the limited timeframe from consultation commencing and receipt of documentation by the Council in order to present to PAG and seek their views.

### RECOMMENDATIONS

1. **To note the proposed work in progress/draft response to the Western Rail Link to Heathrow (WRLtH) consultation and make any comments to Cabinet.**
2. **That Cabinet agree to delegate the final wording of the response - to the Director of Services in consultation with the Portfolio Holder for Planning and Economic Development.**

### 2. Reasons for Recommendations

PAG are being asked to give comments on this consultation which will be considered by Cabinet on 27<sup>th</sup> June 2018.

### 3. Content of Report- Background

3.1 **The proposal is:** Network Rail is seeking to gain a Development Consent Order (DCO) for the development of the Western Rail Link to Heathrow. The DCO will seek the required consent to build the new railway in line with the plans that have been developed, with a final decision from the Secretary of State.

3.2 The Department for Transport has asked Network Rail to develop plans to build this 6.5km rail link between Great Western Main Line and Heathrow Airport. The proposed connection would speed up journeys to Britain's busiest international airport by allowing passengers to travel to the airport from the South Coast, South West, South Wales and West Midlands without having to go into London Paddington and then turning back around to come out again. (A map of the proposal is attached at the end of the report).

3.3 **The applicant is:** Network Rail.

3.4 **The consultation timeframe is:** 11 May -22 June 2018.

3.5 This is the final round of consultation that NR is undertaking before submitting a Development Consent Order application to the Planning Inspectorate in 2019.

3.6 On 16 May 2018, Network Rail presented the WRLtH proposal to South Bucks Full Council. Members expressed concerns on the impact on residents and with NR for not fulfilling consultation leafletting as promised.

#### 4. Our response

4.1 Having reviewed the consultation documents, Officers are of the view that the project would bring about important benefits to the wider area in terms of facilitating easy access to Heathrow Airport and reducing the numbers of people currently using the local and national road network to drive to the airport, in particular Heathrow staff. However Officers have been seeking more details with regard to the specific economic benefits, mitigation and compensation to the District, together with estimates of the modal switch from cars to train journeys.

4.2 Concerns have been summarised below (and previously raised with Network Rail):

- Whilst Officers note that the Heathrow Express Depot (HEX) depot is now no longer required, the closure of Hollow Hill Lane and the consequent diversion of traffic is required to be mitigated through appropriate highway measures to ensure that the impacts on Richings Park and Iver are minimised. Mitigation funding has not been agreed however.
- Further to this, there should be no access issues for the residents of the Mansion Lane Caravan Park and other nearby gypsy and travellers sites on the north side of the canal or for the canal boat residents caused by the closure of Hollow Hill Lane.
- The construction impacts on the residents of Richings Park need to be fully addressed to cause the least possible disturbance through noise (additional vehicles and plant), unsocial working practices and lighting.
- Landscaping to hide the tunnel portal should be planted at the earliest opportunity and the promise of bunds/screening as discussed at the meeting in Bucks County Council meeting on 4th April 2018 to be delivered. This has not been shown in the submission.
- Cumulative impacts – The Preliminary Environmental Information Report (PIER) identifies Cemex, Heathrow expansion and M4 but not Thorney Country Park proposals by Bucks County Council. It is likely that Heathrow, Thorney Country Park and WRLtH will all be under construction at the same time not forgetting HS2.
- We would expect that Network Rail will fund all necessary mitigation measures necessary to reduce the impacts of the scheme on the local communities. As indicated above, no dust mitigation is specified in the current consultation material and no acknowledgment has been made about the Air Quality Management Area (AQMA) proposed for Iver.



- Air quality impacts on Iver (currently being considered as an AQMA) from additional vehicles, plant etc.
- We note that tunnel waste material will be as far as possible removed by train or used as fill in the adjacent Cemex site, however the quantity is not specified/known and neither is the quality of the matter.
- Sheer volume of material produced by scheme in addition to other proposals, 1m metric tonnes of material from tunnel; 25,000 tonnes of contaminated waste; suitability for infilling Cemex hole and building embankments? – or will tunnel waste need to be removed from site (by rail and road) to landfill elsewhere. (Cemex has permission to remove 2m tonnes of sand and gravel and Bucks County Council is considering a proposal at Thorney Country Park to import 2m tonnes to overfill the site.
- It can be assumed that some waste might go to Heathrow to build up the proposed raised run-way by Heathrow Airport Limited, however the National Policy Statement is due and thus this should be considered now.
- Construction material brought in or removed from the site by HGV's should be kept to an absolute minimum and construction routes agreed with the relevant authorities. Mitigation to the highway network are needed to enable this.
- The Council is aware of potential flooding and land contamination issues in the immediate vicinity of the works sites and will work with Network Rail to ensure that any risks are reduced and mitigation is part of their responsibility.
- Noise and vibration impacts during construction and operation on local community.
- Landscape and visual impact on canal boat, Mansion Lane residents and Richings Park residents. Trains will be on embankments (27m wide) on north side of railway line. Richings Park residents need a bund and landscaping to protect them from noise, dust and lighting during construction and noise during operation.
- Impact on delivery of Option 13 Land North of Iver (and potentially other Iver sites) identified in Joint Local Plan. Access road needed for HGV access to construction site (2022-2028- opening year) together with traffic generated by the cumulative schemes needs to be assessed.
- Impact on Green Belt
- Construction on contaminated land – NR suggests that supports for railway embankment could need 40m deep foundations. Do contaminated soils need to be removed? Dust/methane issues etc.
- Negative impact on Colne Valley Regional Park.
- Potential increase in flooding from Horton Brook.
- Right of way severance /impact during construction or permanent?

## 5. Delivery of the Iver Relief Road and Local Plan Housing delivery options

- 5.1 Council Officers have had numerous discussions with NR to relay the importance of the delivery of the Iver Relief Road as an essential component of the Joint Councils Local Plan. Without its construction, residents of Richings Park and Iver will continue to experience the impact of existing operations and HGVs, together with those from this proposal and other projects/developments e.g. the proposed Heathrow expansion, HS2, other planning proposals within the pipeline and other major transport infrastructure projects that are to commence such as the M4 and M25 widening and possible motorway service area.
- 5.2 The Council will be reiterating this position to DfT as an infrastructure delivery response would be to help enable delivery of the Iver Relief Road in advance of these proposals. The proximity to and potential use of the Thorney Business Park Site and surrounding land will restrict the timing and deliverability of Local Plan Option 13 for which the Council has been making progress on via the Local Plan and pre-application process. This WRLtH proposal would therefore restrict and delay the delivery of this site (if agreed for release from the Green Belt) due to construction impacts therefore affects the delivery of 1,000 plus homes, a school, hotel etc.).
- 5.3 The delivery of the Iver Relief Road justifies in part taking the site out of the Green Belt as part of the Local Plan and bringing forward the delivery of a mixed use site. The housing element needs to include affordable housing. The amount of affordable housing has an impact on the viability of the site and we have recently commissioned consultants to advise us of this. Thorney Business Park said they can deliver that part of the road within their ownership but it will be at the expense of affordable housing, new primary school etc. We applied for a HIF bid to plug the gap but have been unsuccessful due to the current uncertainty as to who delivers the road and by when.
- 5.4 Contributions for the delivery should come from WRLtH project's mitigation for the closure of Hollow Hill Lane and wider scheme mitigation. NR access from Thorney Lane South through to Hollow Hill Lane - partly via the existing private access road and a new access road to reach the construction site.
- 5.5 Officers have been seeking a MOU with NR to achieve this. Council Officers having met with Western Rail Link to Heathrow Management team have sought to negotiate an agreement which would be formalised through a Memorandum of Understanding.

### 5.6 **The proposed position statement is as follows:**

*Network Rail will work together with the District, County Council and other stakeholders to deliver appropriate mitigation for the closure of Hollow Hill Lane and any impacts on the Ivers community during construction of the Western Rail Link to Heathrow, which may include a potential contribution to junction improvements if verified by further traffic modelling. Network Rail will work closely with the local councils to determine how any potential contribution to highway network improvements will most effectively be applied.*

*Whilst Network Rail considers that a new relief road is not required in conjunction with its proposed project, the District and County Council remain committed to delivering the Iver Relief Road. Therefore, consideration will be given as to how any access road(s) to compounds may be utilised upon scheme completion.*

*Any contribution to highway improvements will be proportionate to the impacts assessed within the Environmental Impact Assessment for the WRLtH and include as appropriate associated network and environmental improvements and a construction methodology and management arrangements will be developed to minimise so far as reasonably practicable impacts on residents and an agreed procedure to effectively address local resident complaints.*

## **6. Other Considerations**

### Air Quality

6.1 Air quality officers have reviewed the documentation and there seem to be several barriers to the movement of traffic in the area that Jacobs have not mentioned in their report. The Iver Traffic and Transport Study, Figure 2.2 illustrates the barriers in place for the movement of HGVs on Iver High Street which are not adhered to and NR has missed others which will influence the movement of HGVs in the area. NR's consultants will need to draw their attention to the monitoring results in 2017 (and of the recent modelling underway) and the proposed declaration of an AQMA in Iver, especially along Thorney Mill North and South. There is no mention of HS2. Timeframes/phases of construction should be clearly demonstrated and potential overlaps.

### Noise

6.2 In summary the project has the potential to cause adverse noise impacts during both the construction and operational phases. Some of these could be significantly adverse which, according to the Noise Policy Statement for England (NPSE), should be avoided. South Bucks District Council will therefore continue to engage with NR at an early stage to make sure all reasonable steps are being taken to protect the community from harm.

### Waste

6.3 A review has been undertaken of Chapters 14, 15, 16 and 17. Waste Officers have also reviewed the Contaminated Land Report prepared by Jacobs (Document ref: B1964603). At this stage there are no comments to make with regards to surface water and flood risk and hydrogeology.

6.4 Officers agree that further investigations are required in the area to the north of the Great Western Main Line (GWML) and within the Hollow Hill Lane and Iver landfills. The Council will share information regarding landfill history with NR in the formal response.

6.5 Prior to development the areas of landfill will need to be fully characterized by NR. The type of waste deposited will need to be identified and an assessment of the risks posed undertaken, including establishing the ground gas regime for the site and any impacts the development could have on controlled waters. If it is part of the proposed development site, Thorney Business Park should also be fully characterised.

6.6 The other remedial proposals are considered acceptable. However, these may need to change once the further investigations have been undertaken.

6.7 With regards to materials and waste, South Bucks Council would expect the Contaminated Land: Applications in Real Environments Definition of Waste Code of Practice (CL:AIRE DoW COP) to be applied where any material is to be reused on or offsite. If arisings from the excavation of the tunnels are to be deposited in the resulting void created by the extraction of sand and gravel at the CEMEX site or the restoration of the quarry, the Council will expect materials to be screened and confirmed as inert, prior to being deposited.

## 7. Conclusion

Consideration of these cumulative impacts and the necessary mitigation required to be identified and secured with NR continue to secure optimum resolution and mitigation.

### 7.1 Recommended Asks

- Mitigation required as minimum – coordination with all other infrastructure providers for contribution to Iver Relief Road and agreed in a MOU.
- Landscape/bunds/planting and noise protection for local residents.
- Air quality mitigation
- Mitigation proposed for noise and vibration operational and construction impacts – from trains on surface, in tunnels, and during construction earthworks, piling and tunnelling activity.
- Construction methodology.

### 7.2 Inaccuracies in report to be corrected:

- Heritage -No mention of Iver conservation area (impacted by HGV traffic and air quality) or scheduled ancient monument in Richings Park
- Traffic – inaccurate reference to 7.5 tonne weight limit in Iver High Street
- Planning - No mention of Emerging Local Plan on Option 13 or Minerals and Waste Plan

## 8. Consultation

The Council is being consulted and the views of PAG will be sought.

## 9. Options (if any)

Not relevant.

## 7. Corporate Implications

7.1 Financial – The Council is working with WRLtH and Officers time is reclaimed as part of the agreement.

7.2 Legal – No implications at this stage but will be relevant as the Development Consent Order progresses and the need for a Memorandum of Understanding or Statement of Common ground develops.

7.2 Environmental Issues, Social Inclusion, Sustainability are key issues raised in our response.

**8. Links to Council Policy Objectives**

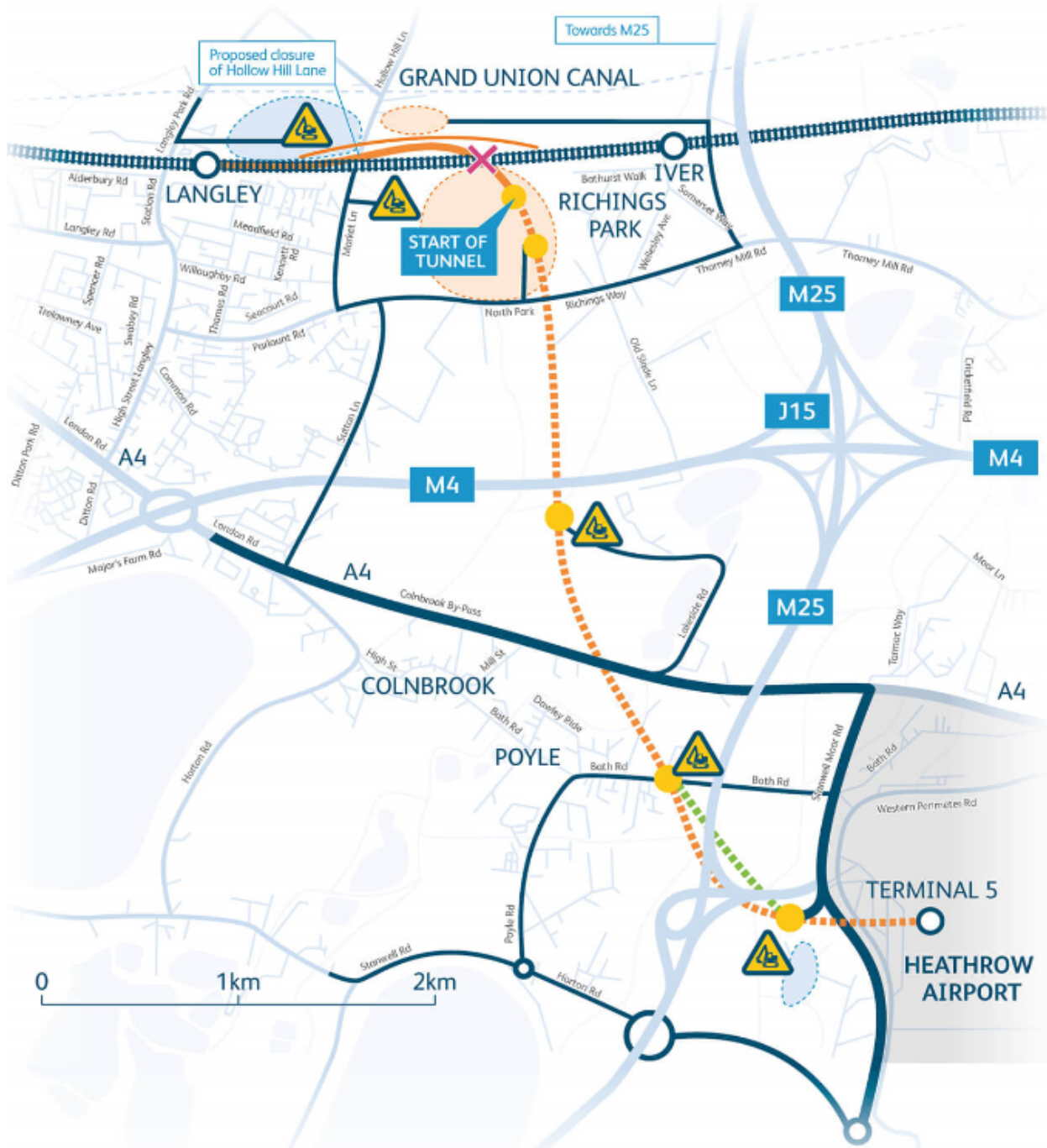
- Sustainable Environment
- Promote healthier communities
- Protecting our heritage
- Protecting our future

**9. Next Step**

*The Council will continue to work with Network Rail Western Rail Link to Heathrow to ensure that the impacts of the infrastructure project either benefit our communities or at the least mitigated and compensated for.*

<b>Background Papers:</b>	None other than referred to in this report.
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**KEY TO PROPOSALS**

- RAIL EXTENSION
- ▬ TUNNEL
- NEW LINES ON EMBANKMENT
- ▬ POTENTIAL CHANGE TO PATH OF TUNNEL
- ▬ ACCESS ROUTES TO COMPOUNDS
- ACCESS BUILDING
- ⋯ MAIN COMPOUNDS
- ⚠ SMALLER SITE COMPOUNDS (Indicative only)
- ⋯ FLOOD STORAGE AREA
- ✕ NEW RAILWAY INTERSECTION BRIDGE
- ▭ EXISTING HEATHROW BOUNDARY
- EXISTING STATION