

Report of the Head of Planning, Transportation and Regeneration

Address WESTERN RAIL LINK TO HEATHROW HEATHROW AIRPORT HOUNSLOW

Development: Statutory Consultation under Section 42 and Section 47 of the Planning Act 2008 for the Network Rail Western Rail Link to Heathrow (WRLtH).

LBH Ref Nos: 73805/APP/2018/1774

Drawing Nos: Volume 1_Preliminary Environmental Information Report_Non Technical Summary
Volume 2_Preliminary Environmental Information Report
Volume 4-Preliminary Environmental Impact Assessment Report Appendix 1 - 21
Volume 3_Preliminary Environmental Information Report_Figures
Consultation Overview Report
Western Rail Link to Heathrow Consultation May 2018_Covering Letters
Fact Sheets 1-8

Date Plans Received: 11/05/2018

Date(s) of Amendment(s):

Date Application Valid: 11/05/2018

1. SUMMARY

REASON FOR URGENCY

An urgent decision is required in order for the Council's views/consultation response to be taken into account as part of the Development Consent Order process and procedure for this Nationally Significant Infrastructure Project.

Summary

The proposal for a western rail link to Heathrow Airport (WRLtH) comprises a new north/south 6.5 km 'twin track' rail link, which would be a continuation of the Great Western Main Line (GWML) linking Reading and London Heathrow Airport. Whilst the proposals provide rail enhancements from Reading, the construction works to accommodate this link will occur in only Slough Borough Council and the London Borough of Hillingdon.

This project constitutes a Nationally Significant Infrastructure Project (NSIP), under Sections 14(1)(o) and 29(1A) of the Planning Act 2008 (the '2008 Act'). Instead of applying for planning permission to the individual Councils for these works, Network Rail will make an application for development consent under the provisions of the 2008 Act, seeking the consent and powers necessary for the construction, operation and maintenance of the project. This application will be made to the Planning Inspectorate who will make a decision on the application. The application will be accompanied by an Environmental Statement.

As part of this process, the Council is required to provide comments on the proposals. The Local Planning Authority's response is provided in this committee report.

The scheme has a number of principal elements within the Borough which are summarised below:

- Shaft 4 and Access Building (Bedfont Court)
- A 200m cut and cover section of track at Shaft 4 - Bedfont Court;

- A 150m section of spray concrete lined tunnel to connect the cut and cover section at Bedfont Court into the existing stub tunnels at Heathrow Airport.

The construction works are planned to commence in 2020 for environment works and 2022 for the start of main construction, with the proposed scheme planned to be operational in 2028.

The actual proposals to create the Heathrow Rail link are considered by officers to give rise to a number of property, highways, archaeological, flooding, mineral safeguarding and environmental related issues. The responses outlined below constitute all of the concerns identified by officers.

2. RECOMMENDATION

1. Committee note the contents of this report and seek authority for it to be issued to the Planning Inspectorate as the Council's formal consultation response, which is summarised as:

a. The Council consider insufficient information is provided by Network Rail to fully consider the impacts of the development and therefore request further information is provided to the Council.

b. The construction works will give rise to flooding, traffic and environmental issues and therefore the the Head of Planning, Regeneration and Transportation seeks authority to negotiate and engage with Network Rail on the impacts of the development, prior to the completion of the full Environmental Impact Assessment (EIA) and submission of the Development Consent Order.

3. CONSIDERATIONS

3.1 Site and Locality

WRLtH would deliver a new train service from Reading to Heathrow Terminal 5 (T5), with trains continuing to the central terminal area and on to London Paddington. The 6.5km scheme consists of a short stretch of open railway that would leave the Great Western Main Line between Langley and Iwer. It would then descend underneath the main railway line into a cutting before entering a 5km tunnel. The tunnel would pass under Richings Park and Colnbrook and then merge with existing rail lines underground at Heathrow T5.

3.2 Proposed Scheme

The proposal comprises of a new north/south 6.5 km 'twin track' rail link, which would be a continuation of the Great Western Main Line (GWML), linking and thereby reducing rail journey times between Reading and London Heathrow Airport. On a local level, the new Western Rail Link would connect from the GWML between Iwer and Langley in Slough (Berkshire) to Heathrow itself. The main part of the new line would run predominantly underground for a length of 5km and then merge with existing Underground rail lines at Heathrow Terminal 5.

The new train service from Reading to Heathrow Terminal 5 (T5) would provide four trains per hour in each direction, with all trains calling at Reading and Slough and alternate trains calling at Twyford and Maidenhead. This is anticipated to significantly improve journey times, with the fastest services taking 26 minutes to get from Reading and six to seven minutes from Slough to Heathrow Airport.

The new tunnel would require up to five intervention and emergency egress shafts, incorporating buildings above ground along the route, with two of these buildings also providing ventilation, all of which have an associated compound.

Only one of the access buildings are proposed within the London Borough of Hillingdon. Shaft 4 and Access Building (Bedfont Court) would descend vertically from ground level to approximately 17m underground, permitting maintenance access, as well as an emergency escape route for train passengers. There would be lifts and a stairwell in the central core of the access building with welfare and plant facilities around the core.

The access building above the shaft would be about 5m high. The footprint of the building would be about 30m x 18m, with external faces of perforated metal cladding. A vehicular access would be via Stanwell Moor Road (the A3044). The compound at the front of the access building would be sufficient to accommodate emergency vehicles (such as fire-tenders, ambulances and coaches). All maintenance activities could also be accommodated. The compounds would be locked and secure.

At informal consultation in early 2016, it was indicated in the Initial Environmental Information Report that the preferred option near shaft 4 would be to include underground, a 'cross-over' track, which would allow trains to move from one tunnel to the other. That option (option A) was further developed and is assessed in a Preliminary Environmental Information Report (PEIR). However, Network Rail has stated that consideration is again being given to a construction option (option B) that omits this cross-over facility. The tunnel alignment with a Cross-over Box would allow south-bound trains to turn back at T5 on a return journey north. Without a cross-over junction, the turnback facility is not available. The benefit of this option (option B) to the scheme is that the curvature of the tunnels is reduced and they would be shortened by about 100 metres. This would reduce construction time and costs. It would also remove the need within the Borough, for shaft 4 and the associated access building and vehicular access.

In addition to the potential access shaft, the main elements of the proposed scheme within the Borough include a 200m cut and cover section of track at Shaft 4 - Bedfont Court; and a 150m section of spray concrete lined tunnel, to connect the cut and cover section at Bedfont Court into the existing stub tunnels at Heathrow Airport.

The construction works are planned to commence in 2020 for environment works and 2022 for the start of main construction with the Proposed Scheme planned to be operational in 2028.

Network Rail has produced the following documents to accompany this round of consultation:

- The Preliminary Environmental Information Report (PEIR)
- The PEIR Non Technical Summary

The PEIR forms an early part of the full Environmental Impact Assessment process, specifically to support consultation on the proposed scheme. The PEIR provides an account of the environmental information available at the time of writing. Its purpose is to inform the public of the likely significant environmental effects of the proposed scheme. The PEIR Non Technical Summary provides an overview of the PEIR.

- The Consultation Overview Report

The Consultation Overview Report helps consultees by briefly describing certain issues and highlighting which documents to access for further information about the WRLtH. It also contains some indicative design details not found elsewhere in the consultation materials. This document explains the dynamic nature of the design of the scheme and points to elements that may change after this consultation round is over

- Eight factsheets

The factsheets have been developed to give a high level overview of the main elements of the design and construction of WRLtH and the process for gaining consent. The eight factsheets are as follows:

1. Consultation and engagement
2. The new rail link and why it is proposed
3. The Development Consent Order process
4. Environmental Impact Assessment
5. Construction compounds
6. Traffic and transport
7. Tunnelling
8. Materials management.

3.3 Relevant Planning History

Comment on Relevant Planning History

Within the extant legislation (the Planning Act 2008), Network Rail is legally bound to make an application to the Planning Inspectorate (PINS), by means of a Development Consent Order (DCO), in order to enable the construction of the proposed rail link, in accordance with agreed designs. Once appraised by PINS, a further referral is then made to the incumbent Secretary of State for Transport for a final decision. The DCO, if approved, would provide scheme authorisation and facilitate compulsory purchase powers and formal legal agreements over land acquisition as and when required, to enable the project.

Prior to this submission to PINS (programmed for the middle of 2019), there is a statutory obligation and duty by Network Rail to consult all affected stakeholders, under sections 42 (prescribed consultees) and 47 (the local community) of the Planning Act 2008, on the detailed proposals.

Initial 'non-statutory' community consultations were undertaken in early 2015 by Network Rail with residents living in proximity of the proposals, which gave notice of route announcement, with a further 'wider community' consultation in the first half of 2016, which afforded detail on the emerging rail alignment.

Network Rail's statutory 6 week consultation on the detailed designs, in line with sections 42 and 47 of the Planning Act 2008, has now commenced (11th May 2018) and concludes on 22nd June 2018. The purpose of this consultation is to inform the local community, local businesses and stakeholders about the proposed scheme and to provide an opportunity to help shape the proposals.

A Preliminary Environmental Information Report (PEIR) is incorporated within the consultation process which summarises the environmental impacts.

Network Rail is required to undertake a full Environmental Impact Assessment (EIA) on the WRLtH. The outcome of the EIA process is an Environmental Statement, which will form part of the Development Consent Order submission in 2019.

4. Planning Policies and Standards

Whilst the relevant National Policy Statement (NPS) will be the primary consideration in the decision-making in relation to any future Development Consent Order (DCO), it is necessary to outline local planning policy considerations, so that they can be included within written representation and assessed as part of any potential Local Impact Report (LIR).

At the time of writing, the adopted Development Plan for the London Borough of Hillingdon consists of the following documents:

- The Local Plan Part 1: Strategic Policies (November 2012)
- The Local Plan Part 2: Saved UDP Policies (November 2012)
- The Unitary Development Plan Proposals Map (September 1998)
- The West London Waste Plan (July 2015)
- The London Plan: The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (March 2016)

However, the London Borough of Hillingdon submitted its revised proposed Local Plan Part 2 (2015) to the Secretary of State, for examination on the 18th May 2018. It is expected that the examination hearings will take place in Summer/Autumn 2018 and pending successful adoption, the Development Plan will consist of the following and will in due course be material considerations:

- The Local Plan Part 1: Strategic Policies (November 2012)
- The Local Plan Part 2: Development Management Policies
- The Local Plan Part 2: Site Allocations and Designations
- The Local Plan Part 2: Policies Map
- The West London Waste Plan (July 2015)
- The London Plan: The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (March 2016).

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- | | |
|----------|--|
| PT1.CI2 | (2012) Leisure and Recreation |
| PT1.EM1 | (2012) Climate Change Adaptation and Mitigation |
| PT1.EM10 | (2012) Mineral Extraction |
| PT1.EM11 | (2012) Sustainable Waste Management |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains |
| PT1.EM4 | (2012) Open Space and Informal Recreation |
| PT1.EM6 | (2012) Flood Risk Management |
| PT1.EM7 | (2012) Biodiversity and Geological Conservation |
| PT1.EM8 | (2012) Land, Water, Air and Noise |
| PT1.EM9 | (2012) Safeguarding Mineral Resources |

PT1.HE1 (2012) Heritage
PT1.T4 (2012) Heathrow Airport

Part 2 Policies:

AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM3	Proposals for new roads or widening of existing roads
AM7	Consideration of traffic generated by proposed developments.
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012)
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC4	Monitoring of existing sites of nature conservation importance and identification of new sites
EC5	Retention of ecological features and creation of new habitats
EC6	Retention of wildlife habitats on derelict or vacant land
MIN1	Safeguarding of sand and gravel reserves
MIN11	After-use of mineral sites - landscaping and screening
MIN14	Proposals for mineral extraction in locations of archaeological importance
MIN23	Schemes for mineral extraction, mineral processing, landfill, waste handling or treatment adjacent to noise-sensitive locations - noise monitoring and control requirements
MIN4	Restriction on the release of good agricultural land for mineral working and requirement for restoration

MIN5	Phased release of agricultural land for mineral extraction/disposal of waste where requirements of policy MIN4 have been met
MIN6	Consideration of impact on farming of proposals for mineral extraction/disposal of waste
MIN7	Restoration of good agricultural land following mineral extraction
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE2	Assessment of environmental impact of proposed development
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL12	Development of agricultural land
LPP 1.1	(2016) Delivering the strategic vision and objectives for London
LPP 2.1	(2016) London in its global, European and United Kingdom context
LPP 2.2	(2016) London and the wider metropolitan region
LPP 2.6	(2016) Outer London: vision and strategy
LPP 2.8	(2016) Outer London: Transport
LPP 4.1	(2016) Developing London's economy
LPP 4.11	(2016) Encouraging a connected economy
LPP 4.5	(2016) London's Visitor Infrastructure
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.20	(2016) Aggregates
LPP 5.3	(2016) Sustainable design and construction
LPP 6.11	(2016) Smoothing Traffic Flow and Tackling Congestion
LPP 6.12	(2016) Road Network Capacity
LPP 6.2	(2016) Providing public transport capacity and safeguarding land for transport
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.4	(2016) Enhancing London's Transport Connectivity
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 7.8	(2016) Heritage assets and archaeology

NPPF National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

This Council is not required to undertake any public consultation. This is the responsibility of the applicant, Network Rail and the decision making authority, PINS.

THE GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)

Comments have been incorporated within Section 7.03 of this report.

Internal Consultees

PROPERTY SERVICES

Comments have been incorporated within Section 7.08 of this report.

HIGHWAY ENGINEER

Comments have been incorporated within Section 7.10 of this report.

TREE AND LANDSCAPE OFFICER

Comments have been incorporated within Section 7.14 of this report.

AIR QUALITY OFFICER

Comments have been incorporated within Section 7.18 of this report.

SUSTAINABILITY OFFICER

Comments have been incorporated within Section 7.06 of this report.

POLICY AND ENVIRONMENTAL PLANNING

Comments have been incorporated within Sections 7.03, 7.05, 7.14 and 7.15 of this report.

FLOOD AND DRAINAGE OFFICER

Comments have been incorporated within Section 7.17 of this report.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

WRLtH is categorised as a Nationally Significant Infrastructure Project (NSIP) under Sectic

14 of the Planning Act 2008 and requires a Development Consent Order (DCO) to be built. Authorisation for the nature and scale of this type of project is to be found in the Planning Act 2008. A Development Consent Order (DCO), if approved, would also contain compulsory purchase powers over land; land required permanently to build the scheme, and temporarily to construct it.

Following this current consultation exercise, Network Rail will analyse all comments received. It will publish its finalised plans and hold public information events in late 2018/early 2019. In 2019, Network Rail will submit a Development Consent Order (DCO) application. Instead of applying to a local authority (as with a planning application), Network Rail will apply to the Planning Inspectorate (PINS) for examination of the DCO. This will seek the required consent to build the new railway in line with the plans that have developed, with a final decision by the Secretary of State for Transport.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation.

Both options A and B will involve the construction of tunnelling and associated works and for option A, an access building within the Heathrow Archaeological Priority Zone (APZ). The Heathrow APZ is defined within the Local Plan Part 1: Strategic Policies (November 2012) and its extent is defined within the revised proposed Local Plan Part 2: Site Allocations and Designations (2015).

APZs are used as a tool for identifying the potential need for archaeological assessment and consultation with the Greater London Archaeology Advisory Service (GLAAS). As such, this proposal should be consulted on by GLAAS.

Applicants submitting proposals for development in APZs should ensure that archaeological interests are not disturbed. Where this cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

Impacts on Hillingdon

The scheme lies in an area of considerable archaeological interest in the Lower Colne Valley and edge of the Heathrow plateau. The Greater London Archaeological Advisory Service (GLAAS) specific comments relate only to archaeological considerations relating to that part of the scheme within the London Borough of Hillingdon, that is Area D, as identified in the Historic Environment Desk-based assessment. The assessment helpfully identifies that Area D and its environs have been subject to considerable disturbance and related archaeological investigation in relation to the construction of Heathrow Terminal 5.

GLAAS has commented that what is less clear in the report is the extent of previous investigation and what realistic prospect there is of significant survival. Further information should be available in the form of digitised site plans and in the site archive.

A specific question that GLAAS considers would be helpful to answer is whether the 2003 trial trenching was followed up by any further mitigation (e.g. watching brief) and why it was

decided not to investigate further. GLAAS recommends that the archaeologists involved in these decisions should be consulted to clarify this. Further geotechnical investigations could clarify the extent of disturbance and it may be appropriate to target known features from previous evaluation to determine what if anything has survived.

GLAAS has stated that at present, understanding of the archaeological survival and potential of Area D is incomplete, although it appears that survival could be quite localised and the potential to further advance understanding of this intensively investigated area is consequently fairly limited. The potential for surviving buried remains of the Neolithic Stanwell Cursus should be given particular attention in view of its importance.

The nature and scope of further assessment and evaluation should be agreed with GLAAS. The ensuing archaeological report will need to establish the significance of the site and the impact of the proposed development. Once the archaeological impact of the proposal has been defined a recommendation will be made by GLAAS.

If archaeological safeguards do prove necessary, these could involve design measures to preserve remains in situ or where that is not feasible, archaeological investigation prior to development. Further information on archaeology and planning in Greater London is available on the Historic England website.

In conclusion, the information submitted is not considered to be of sufficient detail to properly assess the likely impact of the works on archaeology. From the current submission, concerns are raised regarding the potential impact of this scheme on local heritage assets.

7.04 Airport safeguarding

As the above ground works would be only a maximum of 5 metres above ground level, it is unlikely that there would be any airport safeguarding objections to the proposal.

7.05 Impact on the green belt

Both options A and B entail tunnelling under land designated as Green Belt within both the adopted and proposed Development Plan for the London Borough of Hillingdon. Furthermore, the wider construction boundary and one of the five access buildings (option A) is proposed to be constructed within land designated as Green Belt.

Any proposal and its associated impacts, whether they are temporary or permanent, should be assessed on their ability to maintain the openness of the Green Belt and the five purposes of designating Green Belt outlined within Paragraph 80 of the NPPF. To this end, Option A would have a detrimental impact on the Green Belt.

Access to the Green Belt

The site is also intersected by footpaths and tracks some of whose status is unknown. These should be identified and may require temporary closures.

The footpath network linking West Drayton to Spelthorne (created as part of the T5 mitigation package) is situated on the land to the west of the River Colne / east of the M25. The development area in question has a permissive bridleway, which forms part of a wider network connecting the London Borough of Hillingdon (West Drayton and Harmondsworth Moor) into Stanwell Moor, Surrey. This forms a vital link between Hillingdon and Surrey and offers users of both communities linkage to enjoy the area by non mechanized methods. This should be retained at all costs.

7.06 Environmental Impact

Contaminated Land

The areas to be excavated within Hillingdon remain a little unclear. However, there is a strong likelihood that the excavation for the shaft 4 area (and the cut and cover tunnel) will interact with previous landfill sites.

Records regarding the deposition of wastes into these sites are not comprehensive and consequently, the type and composition of waste material is not known. In general, historic landfills sites were likely to be receptor sites for waste types that can give rise to serious contamination, with potential gas build ups and leachate into groundwater.

The preliminary impact assessment has not been informed by detailed ground investigations. Consequently, it is not clear what the preliminary impacts are. This is a concern, given the extent of activity and potential harm to a number of sensitive receptors i.e. controlled waters or public health.

The process for DCO places extreme pressure on the environmental statement submission stage and then into the hearing. It is strongly advised that the Council is engaged on the impacts of Shaft 4 and ancillary work, well in advance of the submission of the Environmental Statement.

7.08 Impact on neighbours

There do not appear to be any residential properties in close proximity to the proposed works, within the Borough boundary.

From a Borough estates point of view, in terms of the scheme requiring properties or land owned or leased by the Council, either permanently (CPO) or temporarily (eg compound purposes etc), the Council would need confirmatory details/addresses from Network Rail of those properties located within the Borough boundary likely to be affected, for the Council's consideration.

The Council would also request sight of the Environmental Impact Assessment report when completed, in order to review potential visual, noise, smell and any other effects upon Council property arising from the scheme.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Preliminary Environmental Information Report (PEIR) incorporated within this consultation process summarises the environmental impacts related to traffic activity generated by the construction process.

The tunnel would require up to five 'access buildings/vertical shafts' to be provided broadly for maintenance, ventilation and emergency access purposes above ground, throughout the length of the new line.

If Network Rail's option A is to be pursued, a single 'access building/vertical shaft' (site 4) would be required within the Hillingdon's borough boundary, located in an area of open Green Belt land (Bedfont Court Estate -Smallholdings), bounded by the M25 spur, Stanwell Moor Road (A3044) and Airport Way (A3113). It would be accessed via a newly created spur road off Stanwell Moor Road and would also serve as a compound area during the

construction phase. Thereafter, construction traffic would be routed to the nearest junctions on the strategic road network i.e. M25, M40 and M4.

A relatively short stretch of tunnelling (approximately 1 km) would encroach into Hillingdon's boundary jurisdiction, allowing connectivity to Heathrow's London Underground (LU) train network. The anticipated project time-line is 5 years, potentially commencing in 202/21 if the project receives consent.

Two differing options for the final section of tunnelling closest to Heathrow, within this Borough are proposed as follows:-

Option A

The proposed routing would allow trains to run north to south and vice-versa on two separate tracks within a new tunnel linking Reading and Heathrow Terminals 2, 3 and 5. The design would allow for the construction of a 'cross-over box' between the end of the bored tunnels and Heathrow Terminal 5 (T5). This facility would allow for southbound trains to 'turn back' at T5 on a return northbound journey, using either of the tracks within the tunnel (service needs permitting). Such flexibility would assist in allowing a greater adaptation and conformity to service operational needs, in terms of frequency/enhanced capacity and resultant adherence to timetables.

Option B

In essence the main difference with this option is that it would shorten the overall length of tunnelling between construction site 3 (Poyle, Slough) and site 4 (Bedfont Court, Hillingdon) by the omission of a 'cross-over box' junction, which allows for trains to turn back at terminal 5. Connectivity to Terminals 2 and 3 would remain. As a physical consequence, this option would reduce overall tunnelling construction time and, more crucially, remove the need for 'site 4' and the associated build of the 'Access Building/vertical shaft' within Hillingdon.

The ability for trains to 'turn back' would however be affected as compared to option A, hence operational capacity may be reduced in comparison. Therefore further scrutiny regarding service operational requirements will need to be undertaken in order to determine the suitability of this option.

Option A is favoured by Network Rail. However option B would clearly be beneficial for Hillingdon, mainly as construction and air quality impacts would be minimised.

Construction Impacts Within Hillingdon

Option A

The construction works would generate additional traffic (HGV dominant) at all construction 'Access Building/vertical shaft' site locations located throughout the length of the proposed line. In terms of the direct impacts within Hillingdon's borough boundary, there is only one construction site which would impose additional traffic and potential air quality burden on the Borough.

The proposed construction site compound is located off Stanwell Moor Road (SMR) and would house and facilitate the construction of the vertical shaft (site 4). Activities would potentially entail the removal of spoil and delivery of construction materials by means of HGV routing through the local road network by way of a newly created spur road from SMR.

The routing would involve two-way (north to south) movements through SMR linking to Colnbrook By-Pass to the north of the site and Airport Way (A3113) to the south. Thereafter, construction traffic would be routed to the nearest junctions on the strategic road network such as the M25, M40 and M4.

Construction activities would broadly accord with allowable times of operation in accord Environmental Health Regulations and be operative from 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays. Material deliveries would however be extended to take place between 7am and 7 pm and certain activities, such as tunnel boring, would potentially be running for seven days a week on a 24 hour basis. The latter would not however be envisaged to impact on the highway network to any notable degree.

Traffic modelling undertaken using an established - Slough Borough Transport Model (SBTM) has been undertaken by Network Rail and in terms of HGV traffic generation related to the peak construction activities forecast for 2022. Network Rail predict that there would be approximately up to 2,600 monthly truck movements generated between sites 3 and 4. This would approximately equate to 100 vehicles per working day or 10 movements per hour on average. These predictions have assumed that waste disposal from the sites would not concur with building material delivery to site 4. It is stated that this scenario is unlikely. However if this 'worst case' occurrence is considered, then the monthly forecast at the peak activity year 2022 would rise to approximately 3,500 HGV movements per month or 145 per working day/12 movements per hour. It is noted that these figures should not be considered as a constant since the construction programme is variable and, in reality, activities will fluctuate on a day to day basis and will be reactive to unforeseen circumstances.

When comparing this quantum of movement to the established base-line traffic flows, coupled with the predicted HGV directional assignment, the additional percentage traffic burden and distribution/routing during peak traffic hour periods generated onto the local road network at any one time would be broadly absorbable without substantive/predicted detriment to traffic congestion or highway safety.

However when considering HS2, CEMEX mineral extraction (North Park Quarry) construction related activities coupled with the possible expansion of Heathrow airport, together with other reassigned 'new development' related traffic movements within this borough, it is highlighted that the added HGV movements will detrimentally affect the highway network on a cumulative basis.

With this in mind, there will be a requirement for a fuller interrogation of the traffic model prior to the submission of the DCO to PINS, in order to demonstrate that all of the aforementioned baseline traffic contributors are fully inclusive to the analysis.

A full assessment taking account of these projects should form part of the future submissions, along side an outline Construction Traffic Management Plan (CEMP).

Although no planning related conditions can be imposed, due to the legislative mechanism associated with this proposal, it is considered that in the spirit of partnership working, there should (at a later stage) be a requirement for a Construction Traffic Management Plan to be applied as best practice, in order to best ensure a level of conformity to the modelling output and predictions.

Option B

In essence, this option would shorten the overall length of tunnelling by the omission of a 'cross-over' box junction, which allows for trains to turn back at terminal 5 and is included within option A. As a consequence, this would reduce the overall period of construction and more importantly would remove the need for 'site 4' and the associated build of the 'Access Building/vertical shaft'. This option would be beneficial for Hillingdon as construction/air quality impacts would be minimised and therefore this is the borough's preferred option.

Summary

It is clear that under the Planning Act 2008, the Council does not possess the power of scheme determination. This authority is therefore formally considered as a consultee under section 42 of the act who can make observations and raise pertinent issues that are in the best interest of the borough in terms of mitigating/lessening construction impacts.

With the two options as presented, it is considered that option B is the preferred choice for this Borough, as the benefits of rail connectivity with Heathrow Terminals 2, 3 and 5 can, in the main, be delivered with least disruption to the highway network during the construction phase, also removing the need to acquire development land to facilitate the acquisition and associated building works within 'shaft 4'.

Option A is the less desirable proposal, as an element of highway disruption will inevitably result during construction. Although the distributed level of HGV traffic related movements associated is not predicted to be excessive, there is the likelihood that impacts will impose a further cumulative effect on the existing base-line traffic flows on the highway network, which are already accommodating 'new development' related traffic loading/reassignment and other major rail/mineral extraction projects from within other parts of the borough, which will increase over the predicted construction period of 5 years. Any possible expansion of Heathrow airport would of course have a significant bearing if the construction time-line coincides with the GWML construction time frame.

If option A is to proceed, it is considered reasonable at this stage to recommend and agree an operational construction traffic timing restriction that would restrict HGV movements to and from the site during peak traffic periods, in order to limit impacts on the highway network in Hillingdon. A peak traffic avoidance period of Monday to Friday - 7.30 am to 9.30 am and 4.30pm to 6.30pm is strongly recommended on this basis.

Objection is raised to option A due to impacts on the local and strategic highway network.

7.14 Trees, landscaping and Ecology

Landscape

Within the Borough, Bedfont Court currently comprises a mix of open land, with grassland, hedgerows and occasional trees / groups of trees. The trees along the eastern boundary provide good summer time screening when the site is viewed from Stanwell Moor Lane.

A tree survey is required and the project should aim to retain and protect trees and hedgerows which perform a useful screening function.

A landscape package should be provided to restore the land upon completion of the tunnel construction and associated temporary works above ground.

Ecology

Landscape and ecological surveys have been carried out and Network Rail state that where possible, known habitats, including woodland, have been avoided. By designing the majority of the scheme as a tunnel, Network Rail has minimised the impact on above-ground features, including the Green Belt designation.

However, it is likely the project would have an impact on the habitat of some species during construction. In order to reduce this impact, the following work has been planned:

- Relocation of badgers to a replacement sett
- Licensed removal of bat roosts
- Preparation of replacement habitat and the relocation of reptiles

Preliminary environmental mitigation drawings have been produced and form part of the PEIR. The proposals include a range of native planting, such as grassland, woodland, scrub and trees to promote biodiversity, enhance landscape character and protect existing views from the new structures associated with the WRLtH, such as access buildings, overhead electrification equipment and new sections of railway.

Impacts on Hillingdon

The revised proposed Local Plan Part 2: Site Allocations and Designations (2015) document is proposing to introduce an extension to the existing Site of Importance for Nature Conservations (SINC) titled 'Lower Colne'. This extension is referenced as SINC EXT 1 in the aforementioned document.

The extension has been put forward as a result of the London Borough of Hillingdon's Review of Proposed New and Extended SINC's (2015), which is available on the Council's website for further inspection if required.

Both options will result in tunnelling taking place underneath this extension, whilst the current extensive proposed construction boundary will neighbour the southern portion of the proposed extension from the east.

Any proposal and its associated impacts, whether they are temporary or permanent, should be assessed on their ability to retain and enhance the existing features of biodiversity value within these areas. Where loss of a significant existing feature of equivalent biodiversity is unavoidable, replacement features of equivalent or greater biodiversity value should be re-provided on the site.

7.15 Sustainable waste management

Aggregates

The London Borough of Hillingdon (LBH) is designated as one of the sources of aggregates for London and the surrounding area within the London Plan (2016). Under Policy 5.20 of the London Plan (2016), LBH is one of four London boroughs (along with Hounslow, Havering and Redbridge) that are expected to maintain a landbank of land-won aggregates through the London Plan period up to 2031.

Part D of London Plan Policy 5.20 gives the London Borough of Hillingdon a requirement to maintain a landbank for aggregates of at least 1.75 million tonnes, which is the equivalent of

0.25 million tonnes per annum for a seven-year period.

In the absence of sufficient planning applications for mineral extraction, the London Borough of Hillingdon has elected to identify and allocate its remaining aggregates for potential development. This has been undertaken in line with the National Planning Practice Guidance (NPPG) for minerals.

The revised proposed Local Plan Part 2 (2015) was submitted to the Secretary of State for examination on the 18th May 2018. Alongside this document, a Statement of Proposed Modifications (SOPM) has also been submitted for determination.

Within the revised proposed Local Plan Part 2 (2015), the safeguarding of land identified for mineral extraction and the requirements surrounding prior extraction are covered within Policies MIN 1 and MIN 2. The SOPM however proposes amendments to Policy MIN1 in order to bring it into link with the NPPF for minerals. Pending successful adoption, future applications should also take into account the content of amended policies

Within the SOPM, the land referred to as 'Bedfont Court Estate' has been designated as an Area of Search for the extraction of sand and gravel. In line with the NPPG for minerals, an Area of Search is defined as:

'Areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply'.

As an Area of Search, the site should be safeguarded from development that would sterilise the ability of future applicants to extract minerals from the site. Alternatively, the current applicant should consider extracting the minerals prior to development to assist with the need for aggregates, subject to it being demonstrated that the extraction would not have an unacceptable impact on any of the following:

- i) Local amenity (including demonstrating that the impacts of noise levels, air quality and dust emissions, light pollution and vibration are acceptable);
- ii) The health of local residents adjoining the site;
- iii) The quality and quantity of water within water courses, groundwater and surface water;
- iv) Drainage systems;
- v) The soil resource from the best and most versatile agricultural land;
- vi) Farming, horticulture and forestry;
- vii) Aircraft safety due to the risk of bird strike;
- viii) The safety and capacity of the road network;
- ix) Public Open Space, the definitive Public Rights of Way network and outdoor recreation facilities;
- x) The appearance, quality and character of the landscape, countryside and visual environment and any local features that contribute to its local distinctiveness;
- xi) Land stability;
- xii) The natural and geological environment (including biodiversity and ecological conditions for habitats and species); and
- xiii) The historic environment including heritage and archaeological assets.

7.16 Renewable energy / Sustainability

The WRLtH would help to meet demand from airport passengers as well as airport employees and is seen as important in improving access connections to Heathrow Airport and reducing journey times for those travelling from the West and beyond. The reduction in

travel time is intended to help ease congestion on critical sections of the road network, including the M4 and M25, by encouraging people using Heathrow Airport to travel by rail. This would reduce CO2 emissions by approximately 30 million road miles per year.

7.17 Flooding or Drainage Issues

The applicants acknowledge that the proposed scheme would adversely affect flood risk, as it would result in the loss of existing floodplain storage and increase the potential for increased flood risk. Network Rail intends to mitigate this increase in flood risk elsewhere through the inclusion of flood plain compensation (approximately 75,000m³) located adjacent to Horton Brook, between the proposed scheme and the Grand Union Canal and (approximately 1500m³) close to Bedfont Court and other mitigation measures, such as flood walls and drainage runoff attenuation storage.

Without mitigation, the proposed scheme is considered to have a significant adverse effect on flood risk. Network Rail submits that the identified mitigation measures are considered to reduce this impact and result in negligible change to flood risk.

Impacts on Hillingdon

In terms of the impact on the Borough, the proposed works may affect an area at flood risk, as well as a flood risk asset providing protection to residents. If the proposals proceed with the need to construct Shaft 4 in the Borough, this could have a significant impact on flooding. To date, modelling and detailed understanding of the risks have yet to be undertaken. Therefore it is difficult to comment on whether the proposed mitigation is feasible, and therefore whether it is right to remove it from the list of significant impacts. The London Borough of Hillingdon would encourage an integrated solution if Shaft 4 is to be built, which minimises the impact, by the combination of both the access road for the shaft and flood defence affected by the works.

7.18 Noise or Air Quality Issues

The proposal is stated to improve accessibility to Heathrow Airport from the west, southwest, south Wales and West Midlands. This, in turn, is expected to provide a greater choice of travel mode and reduce car mileage. Network Rail submits that the WRLtH would help to meet demand from airport passengers as well as airport employees and is seen as important in improving access connections to Heathrow Airport and reducing journey times for those travelling from the West and beyond.

The reduction in travel time is intended to help ease congestion on critical sections of the road network, including the M4 and M25, by encouraging people using Heathrow Airport to travel by rail. This would reduce CO2 emissions by approximately 30 million road miles per year.

However, during construction, major projects such as the WRLtH have the potential to result in adverse impacts including: air quality emissions, escape of dust or mud from stockpiles, noise and vibration and impacts on the local transport network. Measures to be used to manage potential construction impacts, referred to as 'construction management measures' have been developed for the WRLtH and are detailed within the Draft Code of Construction Practice (CoCP), which is aligned to the PEIR and will be updated and submitted alongside the Environmental Statement, as part of the Development Consent Order Application.

The Draft CoCP sets out a series of proposed measures and standards of work that would be applied by Network Rail and its main contractor(s) throughout construction, which seek to

ensure that:

- Construction works are effectively and efficiently planned;
- Management measures are in place to avoid adverse environmental effects and nuisance where reasonably practicable; and
- Appropriate monitoring and reporting is undertaken.

Impacts on Hillingdon

The Proposed Route is a rail link from the great western mainline near Langley, passing into Hillingdon in a tunnel into Heathrow Airport T5. This area is located within the Hillingdon Air Quality Management Area (AQMA), where the air quality is already poor. In terms of detrimental air quality impacts in Hillingdon these would arise from:

- The construction of Shaft 4 in Bedfont Court.

This has the potential for detrimental air quality impacts in relation to the construction site from dust emissions, associated plant emissions plus vehicular emissions from construction vehicles accessing the site. The traffic assessment suggests a worst case traffic generation (combining the construction of shaft 3 and shaft 4) as potentially resulting in a total of 3,524 HGV movements per month between January 2022 and October 2022.

It is noted that the documentation refers to an option which removes the need for shaft 4 and the associated access building and vehicular access. Selecting this option for the scheme would reduce the negative air quality impacts in Hillingdon arising from this part of the project process and should be pursued.

- Any resulting increases in displacement traffic arising from the closure of Hollow Hill Lane. The air quality impact of this will be dependent upon advice from the transport team as to the significance of any increases. Whilst potential air quality benefits from reduced road vehicle journeys are referred to, there is no accompanying air quality assessment to allow for this benefit to be quantified.

Significance

The consultee feedback on the EIA Scoping Report included the recommendation to use the IAQM Guidance for Land Use Planning and Development Control. This is supported instead of the proposed IAN/174/13 suggested in the PEIR. The IAQM guidance should be used to inform the significance criteria and also the screening criteria used to identify the roads necessary for inclusion in terms of assessment. This is necessary, given the current congestion on roads in the surrounding area which are contributing to exceedances of the air quality limits and therefore the assessment requires a more precautionary approach. The exceedances are confirmed by the monitoring data presented within the PEIR.

Mitigation

The best mitigation in terms of reducing air quality impacts would be to select the route option which negates the need for the Shaft 4 at Bedfont Court.

If this is not selected the following aspects should be considered:

- Construction mitigation

The construction management plan must adhere to the GLA "Control of Dust and Emissions during Demolition and Construction Guidance" including the relevant criteria for all non-road

mobile machinery (NRMM). Construction road vehicles should be required to be a minimum of Euro V1 and/or zero emission technologies where available.

· Operation

There are no comments to make as the operational stage has not yet been assessed, no mitigation measures have yet been identified. Given the sensitivity of the area in terms of poor air quality any resulting increases in pollution should be mitigated.

Cumulative effects

The following developments have been identified and may require to be assessed within the air quality assessment;

Heathrow expansion - this has the potential for an increased impact during construction and may affect some of the same receptors as the Proposed Scheme. The cumulative air quality impacts are identified in terms of construction dust emissions and also vehicle exhaust emissions from sharing the same public highway haulage routes if the construction periods overlap.

M4 smart motorway - this has the potential for an increased impact during construction and may affect some of the same receptors as the Proposed Scheme. The cumulative air quality impacts are identified in terms of construction dust emissions and also vehicle exhaust emissions from sharing the same public highway haulage routes if the construction periods overlap.

7.20 Planning obligations

Not applicable.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed,

the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

Objections are raised to option A, by virtue of flood risk, archaeology, air quality impacts, mineral extraction sterilisation and the impact on the openness of the Green Belt .

Option B is the Borough's preferred option, subject to further details, as construction/air quality impacts would be minimised.

The Council would welcome the opportunity to meet with Network Rail to discuss the implications of these policy considerations.

11. Reference Documents

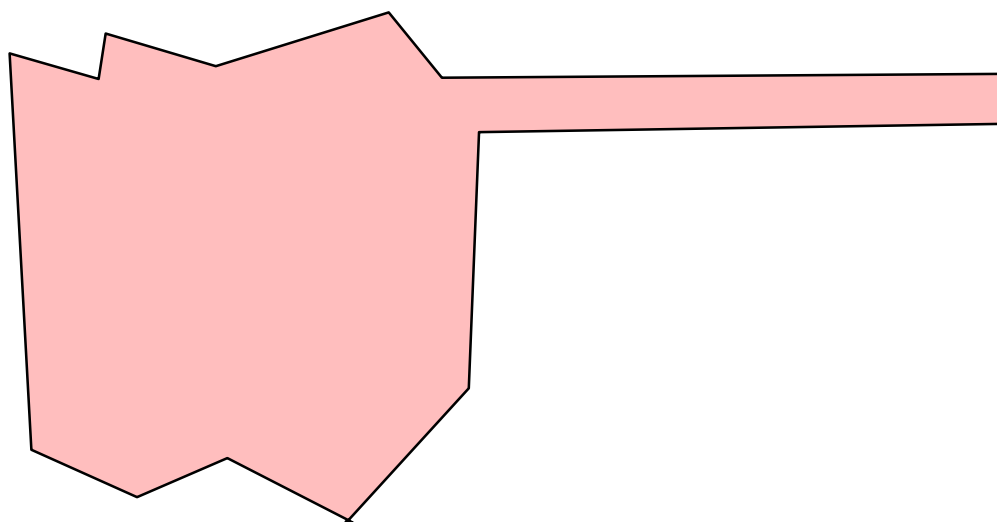
The Network Rail (Western Rail Link to Heathrow) Order

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Planning Act 2008

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Notes



Site boundary

For identification purposes only.

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Network Rail; Western Link

Planning Application Ref:

73805/APP/2018/1774

Planning Committee

Major Application

Scale

1:7,000

Date

June 2018

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