

**SITE PLAN ATTACHED**

**03. GREAT EASTERN MAIN LINE THROUGH BRENTWOOD BOROUGH HUTTON ROAD SHENFIELD ESSEX**

**CROSSRAIL INFRASTRUCTURE AND STATION WORKS IN BRENTWOOD BOROUGH COUNCIL, INCLUDING WORKS AT BRENTWOOD STATION, SHENFIELD STATION AND SIDINGS.**

**APPLICATION NO: 14/01016/CROSS**

<b>WARD</b>	Shenfield	<b>8/13 WEEK DATE</b>	19.11.2014
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG CP1 T2 PC4
<b>CASE OFFICER</b>	Mr Martyn Earl	01277 312588	
<b>Drawing no(s) relevant to this decision:</b>	ENVIRONMENTAL MANAGEMENT PLAN ; WRITTEN STATEMENT FOR INFORMATIO ; CRL1-NRI-T-QAP-CR001-50108 ;		

**Update following previous planning committee**

This application went to the previous planning committee meeting held on the 19<sup>th</sup> November 2014, but the item was deferred by members, due there being a lack of information and in some cases there being conflicting information. The issues that were raised have been summarised below:

- The size of the work site required within Friars Avenue car park and space that would be retained for use as a public car park
- Land ownership issues with the proposed work site to the rear of 95 -105 Hutton Road
- Lorry routes to and from the work sites
- Positioning of fencing within Friars Avenue car park

Since the last planning committee meeting there has been significant progress made by officers. There have been a number of meetings between representatives of cross rail, council officers (including the tree specialist), members and Essex County Council Highways department. There have also been two public information events, one near Brentwood station and the other near Shenfield Station, these have been opportunities whereby the general public were able to talk to cross rail directly.

In the meetings have been held the concerns/questions raised members and those of, officers and other stakeholders have been clearly set out to cross rail. This has resulted in cross rail having a better understanding and being more aware of the concerns that have been raised with regards to the works that will be carried out. During these meetings cross rail have been able to answer a number of questions and where appropriate indicate which parts of the supporting information (already provided) has the answers to the questions. Another outcome of these meetings has resulted in the production of a question and answer document. This document provides a significant amount of additional information and it has dealt with a number of points, some of which are matters for considerations in determining this application as well as those that are not. The areas covered within this document are:

Traffic management

Work sites and the movement of materials to and from the sites

Road safety

Car parking arrangements

Removal of vegetation

Control over noise levels

A copy of this document can be found in appendix B of the committee report.

The Essex Highways department have set out that they have no objection to the works subject to the imposition of the following conditions:

1. Prior to commencement, a Lorry Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include:
  - i. Lorry routing as agreed with the Highway Authority and Local Planning Authority
  - ii. Details of the number and size of construction vehicles per phase of development
  - iii. Details of the proposed phasing of various construction / maintenance work elements
  - iv. A Logistics Management Plan
2. A condition survey of lorry vehicle routes in the vicinity of the Crossrail worksites to be undertaken before and after the Crossrail works, and any damage to the highway caused by the Crossrail/Network Rail works construction traffic to be remediated within 3 months of completion of the Crossrail/ Network Rail works or as agreed with the Highway Authority.
3. Regular Traffic Liaison Group (TLG) meetings to be held between Crossrail, Network Rail, the contractor, Essex County Council and Brentwood Borough Council

to discuss and agree the highway and transportation mitigation, and the traffic management associated with the Crossrail proposals at Shenfield and Brentwood. Any changes to the proposed logistics surrounding this project must be approved through the TLGs.

It is also important to remember that the works subject to this application have deemed consent under the 2008 Cross rail Act and the matters for considered are restricted the following:

- Storage sites
- Screening
- Artificial lighting
- Suppression of dust
- Mud on Highway

As well as the meetings that have already taken place there will also be others that occur post the determination of this application. These will be between cross rail and various other stakeholders which will include Council officers. This will ensure that there is still a significant amount of communication with cross rail and that any additional issues/concerns that arise can still be discussed and dealt with.

## **1. Proposals**

At the request of members this application is being reported to planning committee to ensure that it is debated within the public arena.

The submitted application is for the formal determination of details pursuant to the proposed construction arrangements to facilitate the crossrail infrastructure and station works in Brentwood, including those at Brentwood station, Shenfield station and sidings.

Process and matters for consideration

The Crossrail Act 2008 deems planning permission is to be granted for the works authorised by it, subject to the conditions set out in Schedule 7. In paragraph 16 schedule 7 part 3 of the Crossrail Act 2008 it sets out that development shall be carried out in accordance with arrangements approved by the district planning authority at the request of the nominated undertaker with respect to matters of (in this case) storage sites, screening, artificial lighting, suppression of dust and mud on highway. Each of the aforementioned matters will be considered under separate sections of the subsequent report.

## **2. Policy Context**

Policy Context

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to

it will be a matter for the decision makers planning judgement in each particular case. This Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The National Planning Practice Guidance (NPPG) is a material consideration in the determination of this application.

At a local level there is the Brentwood Replacement Local Plan 2005 the most relevant Policies to this application are:

CP1 -General Development Criteria  
PC4 - Noise  
T2 - New Development and Highway Considerations

### **3. Relevant History**

- : - None

### **4. Neighbour Responses**

Notifications letters were sent to the following:

- Environment Agency
- Natural England
- The scheduled Ancient Monument Society
- English Heritage
- County Archaeologist
- Essex County Council (Highways) and the
- Essex Wildlife Trust

There has also been consultation with the Council's historic buildings advisor, arboriculturalist, and the Environmental Health team.

### **5. Consultation Responses**

- **Highway Authority:**

Further information has been provided by Crossrail; and the majority of the points in our previous recommendation have now been addressed. There are regular Traffic Liaison Group meetings between, Crossrail, Network Rail, the contractor, Essex County Council and Brentwood Borough Council to discuss and agree Transportation issues and these will continue throughout the project. The contractor has provided reassurance with regard to the control of vehicle movements through their Logistics

Management Software system. Therefore from a highway and transportation perspective the Highway Authority has the following comments to make:

1. Prior to commencement, a Lorry Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include:

- i. Lorry routing as agreed with the Highway Authority and Local Planning Authority
- ii. Details of the number and size of construction vehicles per phase of development
- iii. Details of the proposed phasing of various construction / maintenance work elements
- iv. A Logistics Management Plan

2. A condition survey of lorry vehicle routes in the vicinity of the Crossrail worksites to be undertaken before and after the Crossrail works, and any damage to the highway caused

by the Crossrail/Network Rail works construction traffic to be remediated within 3 months of completion of the Crossrail/ Network Rail works or as agreed with the Highway Authority.

3. Regular Traffic Liaison Group (TLG) meetings to be held between Crossrail, Network Rail, the contractor, Essex County Council and Brentwood Borough Council to discuss and agree the highway and transportation mitigation, and the traffic management associated with the Crossrail proposals at Shenfield and Brentwood. Any changes to the proposed logistics surrounding this project must be approved through the TLGs.

4. Any additional infrastructure required in conjunction with the Crossrail works that are not already included in the current Schedule 7 submission, should be included in an additional Schedule 7 submission for approval by Brentwood Borough Council and Essex County Council.

Informatives:

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

- The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973.

- **Environmental Health & Enforcement Manager:**

Environmental Management Plan provided with the application. It would appear that most of our potential issues are covered in the Environmental Management Plan and that remaining noise issues will be dealt with by applications under s.61 Control of Pollution Act 1974; therefore we have no objections to the application.

- **Environment Agency:**

We have reviewed the information and have no objection to the application. We will be consulted separately on a Schedule 17 part 3 (protection of land drainage, flood defences, water resources and fisheries) application in relation to works at Shenfield Sidings.

- **County Archaeologist:**

The Historic Environment advisor of Essex County Council has been consulted on the above planning application for infrastructure and station works at Brentwood and Shenfield stations. Following consultation of the Essex Historic Environment Record (EHER) this application has no archaeological implications and there is no requirement for any archaeological investigation at the various sites.

- **Natural England:**

After careful consideration of the information provided, it is our opinion that this proposal does not affect any priority areas for Natural England, therefore we do not object to the proposal. However, if you are aware of any reason why Natural England should comment further on this application please let us know as soon as possible.

Although Natural England does not wish to offer any substantive comments, we welcome and broadly support the mitigation proposals under Section 2.9.4 Ec01 to Ec06, Ec08 to Ec11 and Ec14 of the Environmental Management Plan. We also acknowledge and welcome the reference to Thorndon Park Site of Special Scientific Interest (SSSI), approximately 800 metres to the south east, which is not deemed to be impacted by this submission.

- **English Heritage:**

The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

## 6. Summary of Issues

### Background

The Crossrail Act 2008 made the "provision for a railway transport system running from Maidenhead in the county of Berkshire and Heathrow Airport, in the London Borough of Hillingdon, through central London to Shenfield, in the County of Essex and Abbey Wood, in the London Borough of Greenwich: and for connected purposes"

The Act deems planning permission for the works authorised by it, subject to the conditions set out in Schedule 7. This schedule includes conditions requiring various matters be subject to the approval of the relevant local authority.

This is therefore a different planning regime to that which usually applies in England (i.e. the Town and Country Planning Act) and is different in terms of the nature of submissions and the issues that the local planning authorities (LPAs) can have regards to in determining requests for approval. There are two types of submission that can be made by the nominated undertaker (For these works Crossrail Limited (CRL) are the nominated undertaker) under Schedule 7 these are:

- Permanent works or
- Temporary works

The details of the permanent works that will be submitted are commonly referred to as 'plans and specifications' (reflecting the description within paragraphs 6, 15 and 21 of Schedule 7), whilst the temporary works details to be submitted are commonly referred to as 'construction arrangements' (reflecting the description in paragraphs 7, 16 and 22 of Schedule 7).

In Paragraph 1.4 of the submitted Crossrail Environmental Minimum Requirements (EMR) it states that "any nominated undertaker will be contractually bound to comply with the controls set out in the EMR and as may be developed during the passage of the Act through Parliament". The scope of the EMR encompasses the Crossrail Construction Code.

For the reasons as set out in Part 1 of schedule 7 of the Crossrail Act 2008 Brentwood Borough Council is a qualifying authority and as Brentwood is not a unitary authority it means that this application is to be considered under Part 3 of Schedule 7 of the Crossrail Act 2008.

The application that has been submitted is for matters that relate to the 'construction arrangements' (temporary works). These matters are as follows: storage sites, screening, artificial lighting, suppression of dust and mud on highways.

In paragraph 16 schedule 7 part 3 of the Crossrail Act 2008 it sets out that development shall be carried out in accordance with arrangements approved by the district planning authority at the request of the nominated undertaker with respect to matters of (in this case) storage sites, screening, artificial lighting, suppression of dust and mud on highway. Each of the aforementioned matters will be considered under separate sections of the subsequent report.

#### Storage sites

These are defined as sites on land within the relevant limits at which -

(a) Minerals, aggregates or other construction materials required for the development, or

(b) Spoil or top soil,

are to be stored until used or reused in carrying out the development or disposed of as waste

The only grounds that the local planning authority may refuse to approve are:

That the arrangements ought to be modified -

a) To preserve the local environment, local amenity or a site of archaeological or historic interest or nature conservation value or

b) To prevent or reduce prejudicial or reduce effects on road safety or on the free flow of traffic in the local area,  
and are reasonably capable of being modified.

The drawings that have been submitted show that there will be storage sites at

- Nag's Head Lane

One worksite is proposed to the east of Nag's Head Lane, making use of an existing railway maintenance access point on the southern side of the railway. The site comprises an area of hardstanding immediately adjacent to the railway with an access off Nag's Head Lane.

- Brentwood Station

One worksite is proposed to the north-east of Brentwood Station. This will occupy part of the Alexandra Road station car park to the east of Rose Valley.

- Shenfield Station and Sidings

A number of worksites will be used to support works at Shenfield Station and the railway sidings to the northeast and southwest of the station.

To the southwest of the station, the south-western end of the existing sidings (formerly known as the Hack Sidings) will be used to support works in this area. Access will be from Gordon Road. An additional section of the western railway embankment within the existing sidings just beyond the station platforms and to the south of Friar's Avenue Car Park will also be used.

Immediately to the west of Platform 5, part of the adjoining Friar's Avenue public car park will be used to support station works in this area. Access will be from Friar's Avenue. Vacant areas at the far north-eastern end of platforms 3/4 and 5 will also be used to support works at the station.



Storage of construction materials and spoil will take place at certain areas within the working sites and/or construction sites. Storage sites will be located to limit environmental effects, as far as is reasonably practicable, and having due regard to neighbouring accommodation, as far as allowed by the constraints of the site (section 3.3.1 of the Construction Code).

The following controls will apply to storage of materials, including spoil and top soil, on the construction sites:

- (a) seed or seal medium or long term excavated material and soil stockpiles;
- (b) ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery;
- (c) store materials with the potential to produce dust away from site boundaries where reasonably practicable;
- (d) ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out;
- (e) minimise the amount of excavated material held on site;
- (f) sheet, seal or damp down unavoidable stockpiles of excavated material held on site, where required; and
- (g) avoid double handling of material wherever reasonably practicable.

In the responses received from the consultation process there has been no concern raised with regards to the position of the storage sites and their impact on the local environment, local amenity or any sites of archaeological/historic or nature conservation value .

The issues that had been previously raised by Essex County Council highways department, with regards to car parking arrangements and vehicle movements on and off the work sites, have been discussed at Traffic Liaison Groups. The result of these discussions and the provision of additional information means there is no longer concern raised by the highways department.

It is therefore considered that the details submitted for the matters of the storage sites would not prevent or reduce to a prejudicial level road safety or the free flow of traffic in the local area.

## Screening

The Act defines screening as ' The provision where necessary on land within the relevant limits of any screening for working sites on such land required for the purposes of carrying out the development'

The only grounds that the local planning authority may refuse to approve are:

That the arrangements ought to be modified -

a) To preserve the local environment, local amenity or a site of archaeological or historic interest or nature conservation value or

b) To prevent or reduce prejudicial or reduce effects on road safety or on the free flow of traffic in the local area,

And are reasonably capable of being modified.

The hoardings or fencing that would be used would differ from location to location but the standard hoarding would be 2.4m in height and maybe up to 3.6m to form a sufficient acoustic barrier.

The nominated undertaker will adhere to the principles set out in Section 3.3 of the Construction Code and ensure, as far as reasonably practicable and appropriate, that the site layout and appearance will be designed using the following principles:

a) sites at prominent locations will be screened;

b) all sites will be fully secured;

c) existing features will screen the sites where appropriate.

Hoarding or fencing will vary from location to location but will accord with the following principles (as set out in Section 3.3.4 - 3.3.6 of the Construction Code):

a) at all worksites the standard hoarding will be 2.4m in height and may be raised to 3.6m and possibly altered in form to enhance acoustic performance for specific locations. It will be plywood faced, timber framed hoarding suitably painted;

b) suitable measures will be used for tree protection as set out in Section 10.4 of the Construction Code;

c) where reasonably practicable existing walls, fences, hedges and earth banks will be retained;

d) notices will be displayed on all site boundaries, where appropriate, to warn of hazards on site such as deep excavations, construction access, etc;

e) appropriate sight lines/visibility splays will be maintained to ensure safety of both vehicles and pedestrians is preserved; and

f) temporary fences may be used in certain areas, such as for short term occupation of sites or at more remote locations.

In the responses received from the consultation process there has been no concern raised with regards to the position of the screening and its impact on the local environment, local amenity, any sites of archaeological/historic or nature conservation value or in terms of road safety and free flowing traffic in the local area. Therefore the works involved with this application accord with the National Planning Policy Framework 2012 and Policies CP1, PC4 and T2 of the Brentwood Replacement Plan 2005

#### Artificial Lighting

In terms of the matters for consideration with regards to artificial lighting the Act states 'The use of artificial lighting on land within the relevant limits for the purpose of carrying out the development'

The ground that the local planning authority may refuse to approve is:

That the arrangements ought to be modified to preserve the local environment or local amenity, and are reasonably capable of being so modified.

The information that has been received with this application includes a lighting management plan. The objectives of this plan is to provide adequate lighting on construction sites ensuring a safe and secure worksite but avoiding incorrectly positioned site lighting that may cause nuisance or may unnecessarily interfere with local residents, railway operations, passing motorists or the navigation of lights for air traffic.

The extent of the area to be lit will vary during the different stages of construction according to area of construction, security and health and safety requirements, as set out in Section 3.4 of the Construction Code.

Site lighting will be provided to ensure the safety and security of the construction sites and will be at the minimum luminosity necessary. Where appropriate, lighting to site boundaries will be provided and illumination will be sufficient to provide a safe route for the passing public. In particular, precautions will be taken to avoid shadows cast by the site hoarding on surrounding footpaths, roads and amenity areas.

Appropriate industry standard procedures will be implemented at all construction sites for site lighting. Lighting will also be designed, positioned and directed so as not to unnecessarily intrude on adjacent buildings, wildlife sites and land uses and so as not to prevent interference with local residents, railway operations, road traffic signals

and signing, passing motorists or navigation lights for air or water traffic. This provision will apply particularly to sites where night working will be required.

The lighting will also be designed to comply with the provisions of BS5489, Code of Practice for the Design of Road Lighting, where applicable. Further guidance is contained within Guidance Notes for the Reduction of Light Pollution, 2000, published by the Institute of Lighting Engineers.

Given the submitted information and that no adverse comments have been raised in any of the responses to the consultation, the works involving the artificial lighting are considered acceptable in terms of local environment and local amenity. Therefore the works involved with this application accord with the National Planning Policy Framework 2012 and Policies CP1 and PC4 of the Brentwood Replacement Plan 2005

#### Suppression of dust

In terms of the matters for consideration with regards to the suppression of dust the Act states 'The suppression of dust caused by construction operations carried on land within the relevant limits for the purpose of carrying out the development'

The only ground that the local planning authority may refuse to approve is:

That the arrangements ought to be modified to preserve the local environment or local amenity, and are reasonably capable of being so modified.

The Brentwood Station and Nag's Head Lane worksites have been identified as low potential for dust nuisance, and consequently tier 1 dust control procedures( as set out below), will be implemented where appropriate. The Shenfield Station and Sidings worksites have been identified as medium risk, and consequently Tier 1 and 2 dust control measures will be implemented where appropriate. Alternatives may be proposed to suit the detailed construction arrangements providing the resulting control is at least as effective as that arrived at using the specified measures

Tier 1 measures controlling the emissions from dust from worksites.

- ensure no burning of waste materials takes place on site;
- ensure an adequate water supply on the site;
- ensure disposal of run-off water from dust suppression activities, in accordance with the appropriate legal requirements;
- maintain all dust control equipment in good condition and record maintenance activities;
- keep site fencing, barriers and scaffolding clean using wet methods;
- provide easily cleaned hardstanding for vehicles;
- ensure regular cleaning of hardstandings using wet sweeping methods;
- not allow dry sweeping of large areas;
- provide and ensure the use of wheel-wash facilities near the site exit wherever there is a potential for carrying dust or mud off the site;

- fit wheel-washes with rumble grids to dislodge accumulated dust and mud prior to leaving the site wherever there is a potential for carrying dust or mud off the site and where reasonably practicable;
- ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits;
- install hard surfaced long term haul routes, which are regularly damped down with fixed or mobile sprinkler systems and regularly cleaned;
- inspect haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable;
- record all inspections of haul routes and any subsequent action in a site log book which may be in hard or electronic format;
- ensure that un-surfaced haul routes and work areas are regularly damped down in dry conditions;
- routinely clean public roads and access routes using wet sweeping methods;
- ensure vehicles working on site have exhausts positioned such that the risk of re-suspension of ground dust is minimised (exhausts should preferably point upwards), where reasonably practicable;
- impose and signpost maximum speed limits of 5 mph on un-surfaced haul routes and work areas and 10 mph on surfaced haul routes and work areas (if long haul routes are required these speeds may be increased with suitable additional control measures provided, subject to the approval of CRL and with the agreement of the local authority, where appropriate);
- ensure all vehicles carrying loose or potentially dusty material to or from the site are fully sheeted;
- ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery;
- mix large quantities of cement, bentonite, grouts and other similar materials in designated areas which will be enclosed or shielded;
- store materials with the potential to produce dust away from site boundaries where reasonably practicable;
- ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out;
- minimise the amount of excavated material held on site;
- sheet, seal or damp down unavoidable stockpiles of excavated material held on site, where required;
- avoid double handling of material wherever reasonably practicable;
- ensure water suppression is used during demolition operations;
- ensure that any crushing or grinding plant used on the site, which falls within the definition in Section 3.5 Chapter 3 of the Pollution Prevention and Control (England and Wales) Regulations 2000 SI 1973, has an appropriate permit issued and is maintained according to the procedures set out in the Pollution, Prevention and Control Act 1999;
- ensure that any plant, identified above, is operated in accordance with the conditions set out in the permit and a copy of the permit is held on site;

- use enclosed rubble chutes and conveyors where reasonably practicable or use water to suppress dust emissions from such equipment;
- always use enclosed conveyors where crossing roads, other public areas and property which is not in the ownership or control of CRL;
- sheet or otherwise enclose loaded bins and skips;
- minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate;
- seal or re-vegetate completed earthworks as soon as reasonably practicable after completion;
- use design/prefabrication to reduce the need for grinding, sawing and cutting on site wherever reasonably practicable;
- only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction;
- carry out site inspections regularly to monitor compliance with dust control procedures set out above and record the results of the inspections, including nil returns, in the log book detailed;
- increase the frequency of site inspections when activities with high potential to produce dust are being carried out and during prolonged dry or windy conditions;(1mm) record any exceptional incidents causing dust episodes on or off the site and the action taken to resolve the situation in the log book detailed in the above.

Tier 2 measures controlling the emissions from dust from worksites.

- strip insides of buildings, as far as reasonably practicable, before demolition;
- bag and remove biological debris (such as birds nests and droppings) or damp down such material prior to demolition;
- wherever reasonably practicable, retain walls and windows while the rest of the building is demolished to provide a screen against dust;
- screen buildings, where dust producing activities are taking place, with debris screens or sheeting;
- avoid carrying out earthworks during dry weather if reasonably practicable having regard to programme and contracting arrangements for the relevant works or provide and ensure appropriate use of water sprays to control dust;
- seed or seal medium or long term excavated material and soil stockpiles;
- ensure slopes on stockpiles are no steeper than the natural angle of repose of the material and maintain a smooth profile;
- ensure equipment is readily available on site to clean any spillages and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods;
- ensure mixing of cement, bentonite, grout and other similar materials takes place in enclosed areas remote from site boundaries and potential receptors;
- where appropriate use increased hoarding height to protect receptors; and
- consider full enclosure of sites or specific operations where there is a high potential for dust production and the site is active for an extensive period.

The Shenfield Station and Sidings worksites are medium risk sites and consequently the dust monitoring will comprise passive deposition monitoring techniques (glass slides/Frisbee gauges / sticky pads) at locations on site boundaries or near to local receptors. The appropriate frequency of replacement of the gauges etc. depends on the detailed construction arrangements. The replacement frequency will be determined by the construction contractor and submitted to Network Rail for approval. Results will be filed and will be available for inspection upon request.

In the responses received from the consultation process there has been no concern raised with regards to the methods proposed to suppress dust in terms of the local environment.

Any noise associated with the construction works will be considered as part of the Section 61 Process (contained within Control of pollution Act 1974). The section 61 consent application shall include details of the work to be undertaken, including the proposed hours of work, site specific management and mitigation requirements for noise both on and off site.

As a result of the additional meetings and the provision of additional information, no objection has been raised with regards to this application from the Environmental Health department or the highways department in terms of dust and therefore the works proposed would be acceptable in terms of local amenity. Therefore the works involved with this application accord with the National Planning Policy Framework 2012 and Policies CP1 and PC4 of the Brentwood Replacement Plan 2005

#### Mud on Highway

In terms of the matters for consideration with regards to mud on the highway the Act states 'Measures to be taken on land within the relevant limits to prevent mud being carried onto any public highway as a result of carrying out the development'

The only grounds that the local planning authority may refuse to approve are:

That the arrangements ought to be modified -

- a) To preserve the local environment, local amenity or a site of archaeological or historic interest or nature conservation value or
- b) To prevent or reduce prejudicial or reduce effects on road safety or on the free flow of traffic in the local area,

And are reasonably capable of being modified.

All reasonably practicable measures will be put in place to avoid/limit and mitigate the deposition of mud and other debris on the highway, as set out in Section 4.4 of the Construction Code. These measures will have regard to the nature and use of the sites in question, and could include

- hardstanding at the access and egress points will be cleaned at appropriate intervals;
- vehicle wash down points to clean vehicle wheels at each exit point onto the highway;
- the correct loading of vehicles and sheeting of loads where necessary to avoid spillage during their journeys;
- appropriate wheel cleaning measures will be employed to prevent the transfer and accumulation of mud and other granular deposits on the public highway;
- the use of mechanical road sweepers combined with water sprays for the suppression of dust to clean hardstandings, roads and footpaths in the vicinity of the site; and
- the flushing of gullies in the vicinity of the site

After completion of any works affecting a highway, all surplus materials arising from the works will be cleared from the highway, leaving it in a clean and tidy condition in accordance with the reasonable requirements of the highway authority.

Any noise associated with the construction works will be considered as part of the Section 61 Process (contained within Control of pollution Act 1974). The section 61 consent application shall include details of the work to be undertaken, including the proposed hours of work, site specific management and mitigation requirements for noise both on and off site.

In the responses received from the consultation process there has been no concern raised with regards to the position of the measures to deal with mud on the Highway and its impact on the local environment, local amenity and any sites of archaeological/historic or nature conservation value.

As a result of the additional meetings and the provision of additional information, no objection has been raised with regards to this application from the Environmental Health department or the highways department in terms of Mud on the highway and therefore the works proposed would be acceptable in terms of local amenity. Therefore the works involved with this application accord with the National Planning Policy Framework 2012 and Policies CP1, PC4 and T2 of the Brentwood Replacement Plan 2005

#### Other matters:

The Traffic Liaison Group meetings that have been set up with Cross rail and other stakeholders will continue after the determination of this application and therefore any additional concerns or issues that arise can still be discussed and dealt with.

#### Conclusion

For the reasons as set out in the report above the details submitted pursuant to the matters relating to the 'construction arrangements' in terms of storage sites, screening, artificial lighting, suppression of dust and mud on highways are



considered to accord with the National Planning Policy Framework 2012 and Policies CP1, PC4 and T2 of the Brentwood Replacement Plan 2005.

Therefore in pursuance of the powers exercised by them as Local Planning Authority Brentwood Borough Council having considered the above schedule 7 submission, do hereby give notice of their decision to approve the construction arrangements for the said development

## **7. Recommendation**

The Application be APPROVED subject to the following conditions:-

1 U09179

Prior to commencement, a Lorry Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include:

- i. Lorry routing as agreed with the Highway Authority and Local Planning Authority
- ii. Details of the number and size of construction vehicles per phase of development
- iii. Details of the proposed phasing of various construction / maintenance work elements
- iv. A Logistics Management Plan

2 U09180

A condition survey of lorry vehicle routes in the vicinity of the Crossrail worksites to be undertaken before and after the Crossrail works, and any damage to the highway caused by the Crossrail/Network Rail works construction traffic to be remediated within 3 months of completion of the Crossrail/ Network Rail works or as agreed with the Highway Authority.

3 U09181

Regular Traffic Liaison Group (TLG) meetings to be held between Crossrail. Network Rail, the contractor, Essex County Council and Brentwood Borough Council to discuss and agree the highway and transportation mitigation, and the traffic management associated with the Crossrail proposals at Shenfield and Brentwood. Any changes to the proposed logistics surrounding this project must be approved through the TLGs.

### Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, PC4 and T2 the National Planning Policy Framework 2012 and NPPG 2014.

2 U02216

Any additional infrastructure required in conjunction with the Crossrail works that are not already included in the current Schedule 7 submission, should be included in an additional Schedule 7 submission for approval by Brentwood Borough Council and Essex County Council.

3 U02217

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

4 U02218

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973.

*BACKGROUND DOCUMENTS*

**DECIDED:**