

WATFORD BOROUGH

APPLICATION FOR THE ERECTION OF A CONCRETE BATCHING PLANT WITH ASSOCIATED HOPPERS, CONVEYOR AND ANCILLARY FACILITIES AT ORPHANAGE ROAD GOODS YARD, WATFORD JUNCTION, HERTS.

Report of the Director of Environment

Author:- Clive Inwards, Tel: 01992 556256

Local Member:- V Muspratt
[Adjoining Members K Crout and S Giles-Medhurst]

1. Purpose of Report

To consider planning application ref. 9/0580-01 for the construction of a rail-fed concrete batching plant with associated hoppers, conveyor and ancillary facilities at Orphanage Road Goods Yard, Watford Junction, Hertfordshire. This application was deferred from the Development Control Committee Meeting on 5 February 2002 and this report now includes an appendix, which provides additional information in response to Members' questions raised at the February meeting.

2. Summary

- 2.1 The application seeks planning permission for the erection of a 15m high rail-fed concrete batching plant. Aggregates would be transported by rail from Leicestershire and it is anticipated that two or three trains carrying up to 1350 tonnes per train would arrive at Watford Junction per week. Trains would use the existing sidings, entering the site from the south and aggregate would be unloaded by bottom discharge and conveyor system. Four mixer trucks would serve the plant, each with a capacity of 8 cubic metres. It is proposed that the mixer trucks would generate 40 lorry movements per day, with an additional 4 HGV movements per day for cement delivery making a total of 44 HGV movements per day (22 in, 22 out). All traffic would enter and leave the site via the depot entrance in Reeds Crescent, close to its junction with Orphanage Road.
- 2.2 The concrete batching plant would generate new employment for approximately 11 staff, including 4 drivers, 3 plant staff, 2 technical staff and two additional staff based at head office. The applicant is prepared to accept a working hours restriction from 7.00am to 7.00pm Monday to Friday, 7.00am to 1.00pm Saturdays, with no working on Sundays and Bank Holidays.
- 2.3 The main issues in considering this application relate to Government guidance and Structure Plan Policy for movement of freight by rail and for the establishment of rail freight depots, consideration of the environmental impacts

of the proposal in terms of noise, dust, visual impact and traffic and consideration of the wider issue surrounding the redevelopment of Watford Junction Station and how this proposal could affect these plans.

3. Conclusion

3.1 The report concludes the Director of Environment should be authorised to grant planning permission subject to conditions to include:

- details of surface and foul drainage systems to be approved and constructed as approved;
- no soakaways to be constructed in contaminated ground;
- mitigation of noise and dust including the construction of a 4m high acoustic screen;
- a restriction on the number of vehicle movements;
- a restriction on hours of operation;
- colour and materials to be approved prior to construction;
- closure of access off Reeds Crescent on completion of the Colonial Way Link road and construction of new access to the batching plant off the Link road;
- promotion and implementation of a Traffic Regulation Order at Reeds Crescent to remove parking bays opposite to the access off Reeds Crescent;
- a restriction of any extension of rail track across the proposed Colonial Way Link as part of the concrete batching plant and to ensure 5m working area from the edge of the footpath of the Link road;
- a limitation on the maximum height of stockpiles of aggregate to 2 metres.

1. Description of the site and proposed development

- 1.1 The application proposes the erection of a 15 metre high concrete batching plant and ancillary facilities on a 0.8 hectare site to the east of Watford Junction Railway Station. The site incorporates the disused railway sidings adjacent to the St Albans Abbey Flyer Line and access to the site would be from Reeds Crescent, to the north of its junction with Orphanage Road.
- 1.2 The site comprises railway land and is part of a tract of land containing railway lines, sidings and a number of commercial and industrial uses associated with the railway. The adjoining land uses are also commercial and industrial in character, with a new warehouse and office building to the east (Astral House). To the north and south is operational railway land and to the west of the railway lines abutting the site is a DIY store. Car parking associated with Watford Junction Station lies to the south west, as does the station building and platform. The nearest residential properties are located in Keele Close, to the north of the site's access onto Reeds Crescent.
- 1.3 The concrete batching plant would be located within the northern area of the application site and aggregates would be transported by rail from Leicestershire. It is estimated that two or three trains carrying up to 1350 tonnes per train of aggregate would arrive at Watford Junction per week. The trains would travel on the Midland Mainline and using the existing sidings would enter the site from the south. The aggregate would be off loaded by bottom discharge¹, transferred onto the site by use of conveyor, and then via a mechanical shovel would be fed into the hopper that delivers aggregate into the storage hoppers of the plant itself. Within the batching plant, concrete would be discharged into the company's mixer trucks. Four mixer trucks would serve the plant, each with a capacity of 8 cubic metres.
- 1.4 All traffic would enter and leave the site via the depot entrance in Reeds Crescent, close to its junction with Orphanage Road. The application proposes the generation of 44 Heavy Goods Vehicle movements per day (22 in, 22 out), comprising 40 movements by the company's mixer trucks and 4 movements for cement delivery, i.e. two loads of cement would be delivered to the site per day in 25 tonne loads. The application does state however, that should the proposed Colonial Way Link Road be constructed, then access would be derived from the Link Road in the future.
- 1.5 The proposal would generate employment for approximately 11 staff, including 4 drivers and 3 plant staff, 2 technical staff and 2 administrative staff at the Company's headquarters. The proposed hours of operation are 7am to 7pm Monday to Friday, 7am to 1pm on Saturdays with no working on Sundays and Bank Holidays.
- 1.6 The application states that this proposal has been submitted as London Concrete wishes to serve the market for ready mixed concrete in the Watford area. It continues to state that, by being rail served, it would improve the sustainability of the ready mixed concrete market in and around Watford, and to the extent that

¹ See also note 7 of Appendix A regarding quantities to be delivered.

this facility would compete with road served batching plants, there would be fewer HGV movements in the Watford area.

- 1.7 This application was deferred from the Development Control Committee Meeting on 5 February 2002 and this report now includes an appendix, which provides additional information in response to Members' questions raised at the February meeting.

2. Consultations

- 2.1 Watford Borough Council consider that the location is appropriate for this type of development and that it is not considered that the proposal would have significant adverse environmental impact in terms of noise, dust or traffic generation in the locality. However, due to the siting and access arrangements, it is stated that the proposal is likely to prejudice the implementation of the Watford Junction Interchange Improvements. Watford Borough Council's full objection to the application is stated as:

'The proposal is considered to be premature as it is likely to prejudice the implementation of the Watford Junction Interchange Improvements forming a key proposal of the South West Herts Transportation Strategy. As such, the proposal is contrary to the aims of the Strategy and Policy T1 of the Watford District Plan 2000: Pre-Inquiry Version.'

The Committee also raised concern about the use of the existing access onto Reeds Crescent and the impact on the residential properties and considers this should be a further reason for the proposal being unacceptable.

Environmental Health Consider that any planning permission make reference to the recommendations contained in the noise and dust reports (as prepared by Hepworth Acoustics and Smith Grant Partnership respectively) and the applicant should be required to implement them.

- 2.2 The County Council as Highway Authority has no objection in principle to the concrete batching plant subject to conditions to cover:
- closure of the access off Reeds Crescent on completion of the Colonial Way Link road and the construction of a new access to the batching plant off the Link road;
 - promotion and implementation of a Traffic Regulation Order at Reeds Crescent to remove parking bays opposite to the access off Reeds Crescent;
 - a restriction of any extension of rail track across the proposed Colonial Way Link as part of the concrete batching plant and to ensure a 5m working area from the edge of the footpath of the Link road;
 - a restriction of 44 HGV movements per day.
- 2.3 Railtrack supports the application as it brings commercial rail use back to the railway yard at Watford Junction, takes into account the upgrading of the West Coast Main Line and makes passive provision for further expansion of the station.
- 2.4 English Welsh and Scottish Railways fully supports the application, which is in line with the Government's policy to encourage transport of freight from road to

rail. They also comment that the proposal has taken into account the future expansion of Watford Junction Station.

- 2.5 Virgin Trains state that from information provided the erection of the batching plant would prevent the implementation of the eastern access and car park project. On this basis, Virgin Trains object to the proposal.
- 2.6 Transco have plant in the vicinity that may be affected by the proposal and as such if planning permission is granted, the applicant would need to provide further details.
- 2.7 Environment Agency has no objection in principle to the proposed development providing that conditions are imposed requiring the submission and approval of surface and foul drainage systems details prior to the commencement of the development and that no soakaways are constructed in contaminated ground.
- 2.8 Vivendi Water Partnership (on behalf of Three Valleys Water) comment that the site is located within a Groundwater Protection Zone and therefore the construction and operation of the site should be undertaken in accordance with the relevant British Standards.
- 2.9 Thames Water has no objection to the application.
- 2.10 Energis state that requirements must be in place for the protection of Energis Communications and telecommunications apparatus during any excavations.
- 2.11 A total of 52 properties were consulted on the application including companies in Astral House and Wetherspoon House and residents in Keele Close and Hallam Close. A total of 31 letters of objection have been received and it is understood that a petition has been collected although not formally submitted at the time of drafting this report. The main issues of concern can be summarised as:
- noise emissions from the plant would affect residential amenity, the office environment at Astral House and the working environment at Edmundson Electrical;
 - dust emissions from the plant would affect residential amenity, the office environment at Astral House and the working environment at Edmundson Electrical causing health problems;
 - the proposal would have a detrimental visual impact;
 - the operation of the plant would lead to the need for increased repair and maintenance to adjacent industrial units;
 - an increase in lorry movements in the area would affect residential amenity by way of noise and air pollution;
 - an increase in lorry movements would add to congestion on Orphanage Road;
 - access to the site would be difficult for lorries as parking along one side of the road significantly restricts access and there would also be difficulties for 25 tonne lorries to negotiate the mini-roundabout at the Reeds Crescent/Orphanage Road junction;
 - proposed operating hours are excessive;

- the proposal would have adverse effects on the natural habitat at the front of the Reeds Estate; and
- increased lorry movements in the Reeds Estate would increase risks to health and safety of residents and members of the public who either drive or walk along Reeds Crescent and in particular would affect the safety of pedestrians crossing Orphanage Road on the way to Watford Junction Station.

2.12 A further objection letter on behalf of Edmundson Electrical was received on 14 January 2002. This letter states that the compatibility of a proposed development with neighbouring land is a material consideration in determining a planning application. The letter continues that despite the mitigation measures proposed in the application, the very nature of the activity will create a dust and noise disturbance that would inappropriately disrupt the sensitive activities of Edmundson Electrical. As such it is requested that the application be refused as it would detrimentally affect the Edmundson Electrical site and would be contrary to Policy E14 (Environmental Considerations) of the Watford District Plan.

3. Planning Considerations

3.1 The principal issues to be taken into account in determining this application are Structure Plan Policy and Government Policy for movement of freight by rail, the highway issues relating to the generation of an additional 44 HGV movements on Reeds Crescent and Orphanage Road, consideration of the possible effects of noise, dust and the visual impact from the proposal and consideration of the wider issues concerning the potential redevelopment of Watford Junction Station.

3.2 The relevant development plan policies are:

- Structure Plan Policy 30 (Rail and water freight depots)
- Watford Council Local Plan (1996) (Policy E1 Employment Areas)
- Watford Council Local Plan (1996) (Policy T5 Rail Use)

In addition the emerging Local Plan, i.e. Watford District Plan Draft for 2nd Deposit May 2001, Central Government Guidance in the form of Planning Policy Guidance Notes and Mineral Planning Guidance Notes, Hertfordshire's Local Transport Plan 2001/02 – 2005/06 and the Southwest Hertfordshire Transportation Strategy are material considerations.

Central Government Guidance

3.3 PPG 13 'Transport' issued in March 2001, has three main objectives which are to promote more sustainable transport choices for both people and for moving freight; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and to reduce the need to travel, especially by car.

3.4 Paragraphs 45 to 47 of PPG 13 set out the detailed Government support for promoting sustainable distribution, including where feasible, the movement of

- 3.5 freight by rail and water. Specifically relating to the movement of aggregates, paragraph 47 recognises that:

‘Minerals can only be worked where they are found and the transport of, inter alia, minerals can have significant environmental impacts. Local authorities should seek to enable the carrying of material by rail and water operators through appropriate planning conditions and obligations, the use of DETR freight grants and promoting facilities for landing of aggregates by sea and distribution by rail or water.’

- 3.6 Central Government support for the movement of aggregates by rail is also given in Minerals Policy Guidance Note 1 (MPG1) which states that ‘the Government would like to see as much freight as possible carried by rail or waterway rather than road wherever possible’ and MPG6 which states ‘the effect of the heavy goods vehicles used to move aggregates is often a major concern to the local community. Where possible, consideration should be given to the movement of material by rail as this can offer environmental advantages and for longer distances may be more economic.’

Structure Plan Policy

- 3.7 The Hertfordshire Structure Plan Review (April 1998) provides qualified support for rail freight depots. Specifically Policy 30 (Rail and Water Freight Depots) states that:

‘The establishment of rail and water depots for freight, including aggregates will be supported at suitable locations in the County, taking into account the suitability of the local road network for secondary collection or distribution, the relationship with employment uses and the environmental impact. Other measures to encourage through traffic to transfer from road to rail and water will be supported. Wherever appropriate, conditions will be imposed on planning permissions and planning obligations will be sought to maximise the amount of non-road borne freight.’

- 3.8 The above policy and advice contained in the Policy Guidance Notes demonstrates that there is strong support for transfer of aggregates by rail and for rail freight depots, subject to local circumstances. The application for a rail-fed concrete batching plant is consistent with the aims and objectives of Government advice and Structure Plan Policy, subject to the detailed consideration of local circumstances.

Watford Local Plan

- 3.9 The application site is identified as an Employment Area (Policy E1) in both the adopted Watford Local Plan (1996) and the emerging Watford District Plan (Draft for Deposit May 2000). In the adopted Plan, Policy E1 seeks to protect the land for B-Class uses (as classified by the Use Classes Order), and states that proposals for high technology, research and development, industry and storage would be acceptable in principle in identified Employment Areas. The application therefore accords with this Policy. The application is also consistent with the background to this Policy which requires that identified employment

land that is accessible by public transport or close to residential areas is retained for industrial and business uses in order to ensure that sufficient land remains to meet local employment needs. The application site is in close proximity both to residential areas and to Watford Junction Station.

- 3.10 Policy T5 (d) of the adopted Local Plan also encourages, in principle, the use of Rail for Heavy Goods Transport and this is re-stated in the emerging Plan under Policy T12 Rail Use. Policy T12 additionally states that improvements and the introduction of transport inter-change points will be encouraged at Watford Junction Station and that the provision of international rail services will be encouraged at the Station. These points will be addressed in the wider issues section of the report.

Environmental Issues

- 3.11 In representation letters received from local residents and neighbouring businesses, the issues of noise, dust and visual impact affecting amenity have been raised. The application includes reports assessing the likely impacts of airborne dust and noise.

Airborne Dust

- 3.12 The airborne dust assessment concludes that the operation of the proposed plant is unlikely to cause harmful impacts due to airborne dust at any potentially sensitive receptor in the vicinity of the site. This conclusion has been reached by considering the local circumstances and the type of plant that the applicant would operate. The application proposes an entirely enclosed facility including enclosed aggregates hoppers, conveyor and storage bins and also provides for dust extraction systems to be fitted to the mixing and discharge areas. In addition, it is proposed that the site would be surfaced with concrete to facilitate cleaning.
- 3.13 At other similar plants the applicant predominantly uses wet mixes for the majority of concrete batching and it has been indicated that this would also be the case at this plant. During a wet mix process cement, sand and water are mixed within an enclosed pan and the resulting mix is then discharged simultaneously with the coarse aggregate into the truck mixer. It is, however, considered that some dry batching would be carried out and therefore the design of the plant includes extraction ducts to carry any dust from the weighing and loading areas into the fully enclosed aggregate bins.
- 3.14 Watford Environmental Health Department has commented that the applicants will require an authorisation under the Environmental Protection Act 1990 and that conditions attached to this will control all aspects relating to dust control.
- 3.15 It is considered that with the type of operation proposed (the majority of the batching being wet-mix), the plant being fully enclosed and fitted with dust extraction systems, the routine management of the site including the daily washing down of the mixer trucks and with dust controls under the Environmental Protection Act that, with the imposition of a suitable condition, airborne dust can be effectively mitigated against. As such the proposal accords

with emerging Development Plan Policy relating to environmental considerations (Policy E14 of the emerging Plan).

Noise

- 3.16 A noise assessment report, submitted as part of the application, includes measurement of existing noise levels at both the nearest residential property and at the nearest office. The assessment has then considered how predicted noise levels would affect these areas. Predicted noise levels have been calculated from measurements taken at the applicant's Wembley Concrete Batching Plant in November 2000. The predictions have taken into account the noise output of each source, attenuation with distance, screening and any reflection effects.
- 3.17 The results of this assessment conclude that at the nearest residential property the predicted noise level of the batching plant would be below the background noise level as measured at Keele Close. Additionally it is shown that predicted noise levels from the concrete wagons using the haul road would be lower than the existing noise climate at the rear of the Wetherspoon offices.
- 3.18 The assessment does, however, indicate that at the rear of the nearest industrial unit (Edmundson Electrical warehouse) predicted noise levels would exceed the existing noise levels by 4dB and this would be predominantly from the loading of the mixer trucks. Although increases of up to 5dB do not normally lead to complaints, the application proposes the erection of a 4m high acoustic screen at the rear of this unit.
- 3.19 From the information provided in the noise assessment and with the mitigation measures proposed, it is considered that with the imposition of a suitable condition, noise emissions from the facility could be effectively mitigated against.

Visual Impact

- 3.20 Concern has been expressed from neighbouring business units regarding the visual impact of the proposed plant. The batching plant building itself has a height of 10m with the storage hopper and the conveyor belt that feeds it extending to 15m. This height is necessary for the processes of mixing the raw materials and allowing the discharge of the materials into the mixer trucks.
- 3.21 The adjacent warehouse, has an eaves height of 8.5m and a ridge height of 10.5m. The concrete batching house itself therefore has a comparable height with this building and significantly smaller footprint, and although it is recognised that the storage hopper and conveyor belt will extend above the height of the adjacent building, it is considered that the batching plant building will not appear out of context within this employment area which is dominated by large warehouses, retail and commercial buildings.
- 3.22 The application proposes a fully enclosed facility and also states that external materials to be used in construction would be to the Local Planning Authority's satisfaction. At similar plants in Wembley and Greenwich, London Concrete have used a light grey steel cladding with signage in blue and black on a white background. It is considered that these materials and colours are appropriate for

this development located adjacent to the Imperial Park industrial estate. With a condition to prescribe the colours and materials to be used in construction, the plant would be in keeping with the industrial character of the area, which comprises steel-clad industrial units, approximately 10m in height.

- 3.23 To minimise the visual impact of any stockpiled aggregate necessary at the site it is suggested that a condition be imposed to limit the maximum height of stockpiles to 2 metres.

Highways Issues

- 3.24 As stated earlier in this report, the proposal would seek to utilise the existing depot access to the Railtrack Yard, which forms a T-junction onto Reeds Crescent approximately 30m from the roundabout at the junction between Reeds Crescent and Orphanage Road. The response from the Highways Authority has indicated that there would be no capacity problems at the roundabout and that residential properties along Reeds Crescent and Orphanage Road are sufficiently far away from the carriageway for the proposed HGV movements not to have any material effect on amenity.
- 3.25 Presently there are on-street parking restrictions on either side of Reeds Crescent from the roundabout junction with Orphanage Road up to the site access junction. However there is no restriction directly opposite the site access. Due to the proximity to Watford Junction Station this area of Reeds Crescent is a popular location for commuter parking and the cars parked in front of the site access would interfere with right turning HGVs to and from the site. Therefore any permission would require the extension of parking restrictions, by traffic regulation order, opposite the site access on Reeds Crescent. This would result in the loss of two on-street parking spaces.
- 3.26 It should be noted that The South West Hertfordshire Transport Strategy seeks a reduction in on-street parking space in residential areas, both for long and short term parking, and therefore the loss of these parking spaces would accord with this aim.
- 3.27 This rail-fed batching plant would compete with other road-fed batching plants within the Watford area, such as Lafarge's plant at Bushey Arches, Bushey and RMC's plant at Imperial Way, Watford. To the extent that the rail-fed plant would compete with road-fed facilities it would help to reduce overall HGV movements in the Watford area, specifically those that involve HGV movements of aggregate to the respective sites for use in concrete production.

Colonial Way Link Road

- 3.28 The South West Hertfordshire Transport Strategy initially proposed the Colonial Way Link Road. The route of the proposed Link Road is shown on Drawing number CD093/001/02 as prepared by Mouchel TSC. The application states that the batching plant proposal has been devised to ensure that there is no conflict with the future proposals, and that the erection of the plant would not compromise the County Council's ability to construct the new road. Should the link road be constructed, there would be the opportunity for access to the site to

be gained from this road and the applicants have indicated that they would use this new access on its completion.

Wider Issues Relating to the Development of Watford Junction Station

- 3.29 The response of the County Council as Highway Authority has highlighted a proposed scheme for eastern access to Watford Junction Station. This scheme originated from the South West Hertfordshire Transport Strategy and the proposals are being taken forward by the County Council, Watford Council, Railtrack, Virgin Trains and Silverlink trains. The County Council's proposals include a new access from the Railtrack yard to the east of the railway onto the new link road known as the Colonial Way Link road, which would provide a link from the present Colonial Way/Imperial Way junction, over the Abbey Flyer Railway Line to St Albans Road. The proposal also includes car parking for an additional 316 spaces. This is part of a wider scheme for Watford Junction which includes Virgin Trains doubling its passenger capacity by 2004; a London Underground Link via the Croxley Rail Link; possible 'Airtrack' rail service between Heathrow and Watford; and the long term possibility of Watford Junction becoming a Regional stop for Eurostar. The Highway and Passenger Transport Authorities have stated that this scheme is fundamental to the future operation of the station and for high-speed train services from Watford Junction.
- 3.30 This scheme is supported by the emerging Watford District Plan 2000 Draft for 2nd Deposit May 2001, Hertfordshire's Local Transport Plan 2001/02 to 2005/06 and the South West Hertfordshire Area Transport Plan. Specifically policies T1 and T2 of the emerging plan state that proposals set out in the South West Hertfordshire Transportation Strategy will be a material consideration in the determination of planning applications. T12 (b) states that Watford Council will 'encourage the improvement and introduction of transport inter-change points at all rail stations in the Borough, particularly at Watford Junction...' and (e) 'encourage the provision of international rail services at Watford Junction Station.'
- 3.31 During extensive negotiations involving Hertfordshire County Council, Railtrack, English, Welsh and Scottish Railways Ltd., Mouchel TSC, Watford Council and London Concrete, the effect the batching plant may have on the ability to deliver the Watford Junction Interchange and Colonial Way Link road proposal, has been considered in great detail. Two areas of concern have been highlighted through the discussions that have taken place. A Master Plan for this area taking into account the proposed batching plant will be on display at the Committee meeting.
- 3.32 Firstly, the Watford Junction Interchange proposal includes provision of additional car parking spaces. This involves construction of car parks on either side of the Abbey Flyer Line. The access road from Reeds Crescent to the batching plant could affect the amount of parking provision, on the eastern side of the Abbey Flyer Line, of up to 100 spaces for a period of 18 months. However this road will be necessary for English, Welsh and Scottish Railways to access the sidings and to provide access for Railtrack during the West Coast Mainline upgrade. Ultimately, the affected parking spaces will be freed up when access to the yard can be obtained from the Colonial Way Link road.

- 3.33 Secondly the Colonial Way Link road has been designed to pass above the Abbey Flyer Line. Concern has been expressed that the siding that London Concrete would utilise to deliver aggregate to the site would require a significant extension to the bridge deck resulting in additional cost to the project. However a letter from the applicant dated 15 January 2002 states that they will accept a condition requiring the siding to terminate at least 5m to the south of the southern edge of the proposed bridge and such a condition has been required to be attached to any permission by the Highway Authority.
- 3.34 To conclude this issue, with the above condition attached and a condition to ensure closure of the access off Reeds Crescent on completion of the access from the Colonial Way Link, the development of a concrete batching plant in this location would not physically prevent any part of the wider development of Watford Junction Station. Therefore it is considered that this proposal would not conflict with the aims of emerging plan policies T12 and T16 and has been shown to take into account the Southwest Hertfordshire Transportation Strategy in accordance with emerging plan policies T1 and T2. In addition the visual impact of the plant is not considered to be harmful in this location, to either the current neighbouring uses or any future plans for the Station, as a fully enclosed facility would be appropriate adjacent to the Imperial Way Industrial Estate and adjacent to the railway line.

4. Conclusions

- 4.1 In considering this application the main issues have been: accordance with central government advice and Structure Plan Policy, consideration of the possible environmental impacts of the facility and also how the development as proposed may affect the wider development of Watford Junction Station.
- 4.2 The report concludes that the application is in accordance with central government advice in the form of PPG 13 'Transport', MPGs 1 and 6 for the movement of freight by rail and also accords with Structure Plan Policy 30 for the establishment of rail freight depots.
- 4.3 Consideration has been given to all the possible environmental effects of the facility and with the imposition of suitable conditions, it has been concluded that the facility could operate without significant impacts on neighbouring business units and residential properties.
- 4.4 Careful consideration has also been given to the possible impact of this facility on the redevelopment of Watford Junction Station. It is concluded that this batching plant need not prejudice any future plans and given that there is overwhelming central government support for movement of freight by rail and that operationally the plant would not have a significant impact on neighbouring uses, it is concluded that, on balance, this application be approved subject to conditions to include:
- details of surface and foul drainage systems to be approved and constructed as approved;
 - no soakaways to be constructed in contaminated ground;

- mitigation of noise and dust including the construction of a 4m high acoustic screen;
- a restriction on the number of vehicle movements;
- a restriction on hours of operation;
- colour and materials to be approved prior to construction;
- closure of access off Reeds Crescent on completion of the Colonial Way Link road and construction of new access to the batching plant off the Link road;
- promotion and implementation of a Traffic Regulation Order at Reeds Crescent to remove parking bays opposite to the access off Reeds Crescent;
- a restriction of any extension of rail track across the proposed Colonial Way Link as part of the concrete batching plant and to ensure 5m working area from the edge of the footpath of the Link road;
- a limitation on the height of stockpiles of aggregate to 2 metres.

5. Financial implications

- 5.1 Planning applications should be determined on the basis of material planning considerations, and not on the basis of their financial implications for the County Council. However, it is a requirement of the County Council to advise all Committees of the financial implications that may arise from their decisions.
- 5.2 If a planning application is refused or is not determined within a specific period, the applicant has a right of appeal. Any appeal would result in additional costs, which in part can be met from existing budget provisions. However, a major public inquiry may give rise to significant costs for which there is no specific budget provision. If the County Council refuses an application without reasonable planning grounds on which to base its decision, it may be liable to pay the costs of the applicant in contesting the appeal.

Background information used by the author in compiling this report

Planning application reference 9/0580-01 and accompanying reports on dust, traffic and noise.

Consultation responses and representations received in response to planning application ref. 9/0580-01.

Hertfordshire County Structure Plan Review 1991-2011.

Watford District Local Plan, adopted 1996.

Watford District Plan 2000, Draft for 2nd Deposit (May 2001).

Planning Policy Guidance Note 13 'Transport'.

Mineral Planning Guidance Note 1 'General Considerations and the Development Plan System'

Mineral Planning Guidance Note 6 'Guidelines for Aggregates Provision in England'.

Hertfordshire's Local Transport Plan 2001/02 – 2005/06.

Southwest Hertfordshire Transportation Strategy

Mouchel Drawing No. CD093/001/02

APPENDIX A

RESPONSES TO ISSUES RAISED BY MEMBERS AT DEVELOPMENT CONTROL COMMITTEE MEETING ON 5 FEBRUARY 2002. APPLICATION FOR A RAIL SERVED CONCRETE BATCHING PLANT AT ORPHANAGE ROAD GOODS YARD, WATFORD JUNCTION.

Further to questions raised by Members of the Development Control Committee at the meeting on 5 February 2002, the following information has been prepared as an appendix to the attached report and should be read in conjunction with it.

1. **Publicity.**

This application was publicised in accordance with the County Council's adopted Code of Practice for Publicity of Planning Applications.

At the time of processing the application the County Council's Code of Practice for Publicity required that all properties within 90 metres of the proposed development be notified of the application. *NB Since this time the Code Of Practice has been updated and now requires a distance of 100m.*

In addition as the proposal involves the generation of HGV movements, the Code of Practice requires that properties along the HGV route within 90 metres of the site access be notified.

Properties along Orphanage Road (nos. 1 to 3) are further than 90m from the site access (they are approximately 150m from the access along the HGV route) and numbers 1-12 The Lodge are set well back from and do not have their access directly off Orphanage Road. As such these properties were not considered to be along the submitted HGV route.

Although much further than 90m (in a straight line the nearest property in the Reeds Estate to the site is 270m) from the proposed development and not along the HGV route, the County Council additionally consulted properties off of Hallam Close and Keele Close in the Reeds Estate as they were referred to in the planning application. A site notice was posted at the site access on 17 August 2001 and a public notice was placed in the Watford Observer on the same date.

It should be noted that the General Development Procedure Order (1995) only requires that, in addition to a local advertisement, either a site notice be posted or notification is given to any adjoining owner or occupier and as such the County Council's Policy significantly exceeds the legislative requirements.

2. **Impact on Local Road Network**

Orphanage Road is a Local Access Road (Urban) which is unclassified and has a speed limit of 30mph. It is considered suitable for HGV traffic. In paragraphs 2.1 and 2.2 of the main report it is shown that neither Watford Borough Council or the County Council as Highway Authority respectively, object on highway grounds subject to the conditions as detailed in 2.2.

3. Vehicle Routing

Two issues of concern have been raised by Members relating to the routing of HGVs associated with the proposal.

The first issue relates to HGVs making a right turn at the mini roundabout on Orphanage Road. The County Council as Highway Authority has additionally commented that a section 106 agreement, incorporating vehicle routing, would be undesirable given the small percentage of mixer trucks likely to use this route and the difficulty of enforcing such an agreement. Turning right at the roundabout would be undesirable for the majority of concrete deliveries as it would involve negotiating the congestion of the town centre. Mixer trucks would only use this route when making local deliveries in the town centre. In this example it would be inefficient and unsustainable to route mixer lorries onto the M1 link road.

The second issue relates to the possibility of HGVs using the second access into Reeds Crescent (Reeds Crescent has a loop road layout) at times when the normal access into Reeds Crescent may be congested. Such a manoeuvre is unlikely and the Highway Authority has not requested that this be controlled. However, as all concrete mixer trucks using the facility would be owned by the applicant, he is willing to instruct drivers that they should not use this route.

4. Timing of the Colonial Way Link Road

Presently it is considered that there may be a possible bid for funding in 2003 through the Local Transport Plan process. If successful and land is then obtained through negotiation, construction could start in 2004. However, the whole scheme could be delayed if the County Council has to use Compulsory Purchase Order (CPO) powers.

5. Implications for the Green Zone

A Green Zone is not a lorry ban zone but seeks to provide a street environment dominated by people as opposed to motor vehicles. As previously stated it is anticipated that only a small percentage of HGVs would turn right at the mini roundabout onto Orphanage Road (only when making concrete deliveries to the town centre) and as such relatively few HGVs will be entering the Green Zone.

Signal improvements are anticipated at the junctions of Woodford Road, Clarendon Road and St Johns Road but these are specifically designed as safety improvements.

6. Visual Impact

The visual impact of the proposal has been considered in paragraphs 3.19 through to 3.21 of the Committee Report. The facility would be fully enclosed and officers are of the view that the facility would not look incongruous set against the existing back drop of large warehouses, retail and commercial buildings. The industrial plant would not appear out of context in this location. Additionally it is not considered that, should the station improvements be implemented, the facility would conflict with the proposed modern image for the Station.

7. Aggregate

During Committee on 5 February 2002 concern was expressed that the plant could potentially operate at a greater capacity than that applied for given the amount of aggregate to be delivered to the site. There are a number of points to clarify:

- a) Firstly the application states that a train carrying approximately 1,350 tonnes of aggregate would be delivered at the site two or three times a week. The applicant has clarified that as the company does not sell aggregates direct, only sufficient material is required at the plant at any one time as is needed to make sufficient ready mixed concrete for, on average, two days. The whole process of supply and demand is computer controlled and therefore aggregate is only ordered as and when needed and it is not the company's practice to retain large stockpiles on site. The trains delivering aggregates, will under normal circumstances, be delivering to one or more of the company's other rail served concrete batching plants. Due to design issues relating to the construction of the Colonial Way Link Road, the sidings used by trains to deliver aggregate to the site have had to be shortened, thereby reducing the length of any train to deliver to the site, resulting in a reduction of the amounts of aggregate that can be delivered at any one time.
- b) The plant itself and the feed hopper have an approximate capacity of 430 tonnes. As an example should a train arrive with 1000 tonnes of aggregate for this plant, there would be an outside storage requirement of around 600 tonnes. Such material would be stored in 5 bays, having a height of approximately 2 metres. To minimise the visual appearance it is considered expedient to condition the height of stockpiles to two metres to correspond with the height of the bays. It should be noted that the off loading and storage of aggregates on the site is permitted development.
- c) Members requested information relating to the quantities of material that would be required to batch 20 loads of ready mixed concrete. The applicant has advised as follows:

Two tonnes of aggregate (plus 0.25 tonnes of cement) is required, on average, to provide 1 cubic metre of concrete. The maximum load of a concrete mixer truck is 8 cubic metres. Therefore $20 \text{ loads} \times 8 = 160$ cubic metres. 160 cubic metres of ready mixed concrete would require 320 tonnes of aggregate.

- d) The applicant has indicated that for the foreseeable future they could not envisage an occasion when the concrete batching plant would work to its maximum design capacity. The supply of ready mixed concrete is determined by the market for the product. At the moment demand in the Watford area is being catered for by two existing road fed plants operated by Lafarge and RMC Aggregates. London Concrete have stated that they have evaluated the likely market demand in Watford, both from knowledge derived from operating its other plants and of the industry generally. They are of the opinion that four trucks to be based at the site is a realistic assessment of the anticipated market demand.
- e) Capacity would be limited by the number of associated concrete mixer movements. London Concrete propose to operate four trucks from the site which will, on average, undertake five deliveries each day, equating to a total of 20 deliveries a day. This makes up 40 movements of HGVs to the site with the other four made up of two cement

deliveries a day (four movements). Any increase in vehicle movements would need to be the subject of a separate planning application.

8. Impact of Dust on Edmundson Electrical

The issue of dust has been covered in 3.11 to 3.14 of the main report. It is considered with the imposition of a suitable condition the impact of dust on Edmundson Electrical can be effectively mitigated against. Further to Watford Borough Environmental Health's consultation response in 2.1 of the main report they also state that the key consideration for the batching plant is that the process will require authorisation under the Environmental Protection Act 1990. This will have the effect of imposing dust control measures over the whole operation to the Best Available Techniques. Such measures include enclosed cement powder silos with filters, enclosing the plant and conveyors, hard surfacing vehicle movement areas and enclosing the loading point. All these measures are proposed in the application.

9. Hours of Working

The hours proposed by the applicant are 7.00am to 7.00pm Monday to Friday, 7.00am to 1.00pm Saturdays with no working on Sundays and Bank Holidays. These hours are considered appropriate given the location of the plant adjacent to an industrial estate and operational rail land. Additionally the 7.00am start time would allow mixer trucks to leave the plant site and get to building sites prior to the main rush hour. The trucks would also then be in a position to return to the plant after the traffic flow has subsided thereby reducing potential conflict with commuters and school run traffic. London Concrete have stated that a 7.30am or 8.00am start time would jeopardise the feasibility of the whole plant. The County Council is not aware of any time limitations on current operations in the area and additionally part of the Orphanage Road Goods Yard is likely to be used in the near future as a maintenance depot for the West Coast Mainline upgrade. The depot will not be subject to any restriction on hours.

10. Requests For Special Dispensation Outside Usual Hours of Working

The company stated in the application that they would be prepared to accept a restriction on hours of working as above. London Concrete anticipate that working would be undertaken between these hours and it would be only on very rare occasions that they may possibly wish to work outside of these hours to supply a contract. Such an example in the past has been when the company have won a contract to supply concrete to a motorway scheme. It is considered reasonable to impose a restriction on the hours of working, as requested, with the caveat of '*unless otherwise agreed in writing with the mineral planning authority*'. This would allow consideration of the specific circumstances should the company make a request for special dispensation to open the plant outside the usual hours of working. It should be noted that the County Council would retain the right to refuse such requests if they are not considered appropriate and that the Local Member would be consulted prior to any decision. Such caveats on a condition are successfully used at existing ready mixed concrete and asphalt coating plants across the County.