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(via email)

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Dear Planning Inspectors

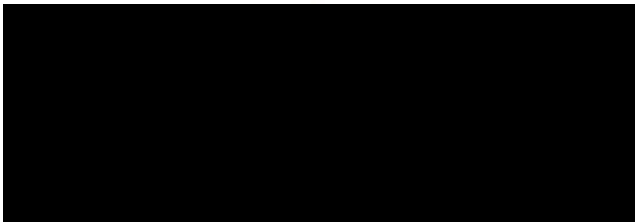
**Southampton to London Pipeline – Local Impact Report for Spelthorne**

Following our assessment of the local impacts this application for Development Consent would have on the Borough, please find attached the Local Impact Report produced on behalf of Spelthorne Borough Council, as a host authority for the route.

Spelthorne has no objection in principle to the replacement pipeline but has identified concern over certain aspects of the development which require further consideration and mitigation.

Thank you in advance for considering our report.

Yours sincerely



Councillor Ian Harvey  
Leader of Spelthorne Borough Council

**Section 60 ♦ Planning Act 2008**

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Esso Petroleum Company Limited  
Southampton to London  
Pipeline Project

Application for a  
Development Consent Order

Project reference no. EN070005

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**Spelthorne Borough Council  
Local Impact Report**

**October 2019**

**Spelthorne Borough Council**  
**Knowle Green**  
**Staines-upon-Thames**  
**TW18 1XB**

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## One ♦ Introduction

### BACKGROUND

- 1.1 Esso Petroleum Company Limited ('Esso' or 'the Applicant') has applied for a Development Consent Order (DCO) for a replacement aviation oil pipeline running from east of Southampton to the company's West London Terminal Storage Facility south of London Heathrow Airport (LHR or 'Heathrow'). The proposed pipeline passes through Spelthorne Borough in Surrey and if built will exert a range of environmental and amenity impacts in the locality, principally during the construction phase.
- 1.2 This report provides details of the likely impact of the proposed development on Spelthorne and is intended to assist the examination of Esso's application by the Examining Authority (ExA) on behalf of the Secretary of State. The report has been prepared by Spelthorne Borough Council (SBC) with the assistance of planning and environmental impact assessment consultant Savills.

### SPELTHORNE BOROUGH COUNCIL

- 1.3 Spelthorne is Surrey's northernmost borough and shares borders with Runnymede and Elmbridge districts in Surrey, Slough and the Royal Borough of Windsor and Maidenhead in Berkshire and the London Boroughs of Hillingdon, Hounslow and Richmond. Surrey operates a two-tier local government system and Surrey County Council (SCC) is responsible amongst other things for the provision of education, highways and social care services in the borough. SCC is also the minerals and waste planning authority.
- 1.4 Chapter two of this Local Impact Report provides a description of Spelthorne Borough. SBC operates primarily from offices at Knowle Green in Staines-upon-Thames. In local elections on 2 May 2019 the Conservatives retained majority control of the Council, winning 23 of a total of 49 seats.
- 1.5 The parliamentary constituency of Spelthorne is represented by the Right Honourable Kwasi Kwarteng MP, Minister of State for Business, Energy and Clean Growth.

### PURPOSE AND STRUCTURE OF THIS REPORT

- 1.6 Under section 60(2) of the Planning Act 2008 (as amended by the Localism Act 2011), the Secretary of State must invite local authorities in areas subject to a DCO

application to submit a Local Impact Report (LIR). According to section 60(3) of the 2008 Act 'A "local impact report" is a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'.

1.7 Guidance on the content and preparation of LIRs is provided in the Planning Inspectorate's *Advice Note One: Local Impact Reports* (version 2, April 2012). SBC has sought to follow the guidance in the preparation of this LIR. Accordingly this report is structured as follows.

- *Chapter 2* provides a description of Spelthorne Borough, including its local characteristics, landscape qualities, transport patterns and environmental constraints. Chapter 2 also identifies other major development in the locality and summarises Esso's engagement with Esso to date.
- *Chapter 3* considers the principle of development in the light of relevant national and local policy. It also sets out SBC's overall position in respect of Esso's proposals.
- *Chapter 4* explains generic concerns about the proposals that Spelthorne BC shares with neighbouring local authorities in north Surrey.
- *Chapters 5 to 10* identify the local impacts of the proposed pipeline in six contiguous but distinct areas of Spelthorne Borough. These are:

*Chapter 5* - River Thames to the Queen Mary Reservoir intake channel

*Chapter 6* - Ashford Road

*Chapter 7* - Fordbridge Park and Celia Crescent

*Chapter 8* - Woodthorpe Road

*Chapter 9* - Central Ashford and Clarendon Primary School

*Chapter 10* - Ashford railway to the Oil Terminal

- The overall conclusions of this LIR are presented in *Chapter 11*.

## Two ◆ Context: Spelthorne Borough

### DESCRIPTION AND GENERAL CHARACTERISTICS

- 2.1 The Borough's location in the north of Surrey, on the borders of Berkshire and Greater London, was described in chapter 1 of this LIR. The borough is substantially urban in character with principal settlements that include Staines-upon-Thames, Ashford, Stanwell and Sunbury. Smaller settlements include Laleham, Littleton and Shepperton Green. The Borough has a population of just under 100,000.
- 2.2 The southern and south-western edge of the Borough is more rural in character, reflecting flood constraints from the River Thames and the inclusion of undeveloped areas in the metropolitan green belt. Being in the Thames basin, Spelthorne is generally level and low-lying, with most of the Borough between 10 and 25 metres above ordnance datum.
- 2.3 The Borough is 51.2 km<sup>2</sup> in area. The River Thames on the Borough's south-western boundary is perhaps the Borough's most significant natural feature. Many other local landmarks are man-made, developed often in order to meet the infrastructure requirements of Greater London. These include the following.
- i). A high intensity of transport infrastructure, including lengths of the M25 and M3 motorways, dualled sections of the A30 and A308, several suburban railway lines and, just to the north of the Borough, London Heathrow Airport.
  - ii). Several large reservoirs operated by Thames Water, contained within raised earth banks.
  - iii). Extensive current and former sand and gravel workings, particularly alongside the Thames. These are generally filled with water and some serve as wildlife habitats or leisure resources.
  - iv). Other noteworthy features in the Borough include Shepperton film studios and Kempton Park racecourse.
  - v). In contrast with other Surrey districts, Spelthorne has comparatively little woodland cover and such woodland as exists is valued highly by residents.
  - vi). From a socio-economic perspective Spelthorne has very low unemployment. The borough is an integral part of the London and Heathrow labour markets and hosts the headquarter operations of several major companies.



- 2.4 In the current context it is evident that the Borough presents considerable physical obstacles to the construction of a new oil pipeline.

#### **OTHER MAJOR DEVELOPMENT IN THE LOCALITY**

- 2.5 According to the Planning Inspectorate's Advice Note One: Local Impact Reports (version 2, April 2012, see page 5), a LIR can helpfully identify '*Relevant development proposals under consideration or granted permission but not commenced or completed*'. Appendix SBC-1 to this LIR is a list of other major developments in Spelthorne close to the pipeline corridor.

## Three ◆ The principle of the development

### INTRODUCTION

- 3.1 This chapter considers the pipeline in the light of relevant national and local policy insofar as it is relevant to Spelthorne, and explains SBC's overall position in respect of the proposals, subject to acceptable solutions being found to matters raised in chapters 4 – 10 of this LIR.

### NATIONAL NEED AND POLICY

- 3.2 Chapter 2 of Esso's Planning Statement (Application Document 7.1 rev.1, May 2019, ref APP-133) provides the applicant's statement of need for the proposed pipeline. SBC does not query the generic national need for energy infrastructure, as described in the government's *Overarching National Policy Statement for Energy* (EN-1, July 2011), and accepts that aged energy infrastructure might need to be renewed from time to time. The Council acknowledges also that, as a general principle, it is desirable to convey liquid fuels by pipeline in preference to road or rail transport.
- 3.3 It is noted that Esso is asserting the relevance of the *National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines* (EN-4, July 2011 – see paras. 1.5.6 – 1.5.9 of Esso's Planning Statement in this respect). SBC agrees with the applicant that EN-4 should provide a component of the national policy basis for the determination of Esso's application. As explained in later chapters, EN-4 policy on the environmental impacts of pipeline construction is pertinent to the range of impacts likely to be experienced in Spelthorne should a DCO be made.
- 3.4 In respect of the national need for the proposed pipeline, it is claimed in para. 2.4.28 on page 16 of the applicant's Planning Statement that:
- 'The pipeline is not linked to, or necessary for the proposed expansion of Heathrow through the construction of a third runway. Consultation documents published by Heathrow for the third runway identify a requirement for additional fuel storage, not additional pipeline supplies.'*
- 3.5 It is requested that the Examining Authority tests the proposition that the new pipeline is unconnected with the Heathrow expansion, particularly in the light of the following statement on page 17 of the applicant's Planning Statement:

*Need for the pipeline to be future proofed*

*2.4.36 The replacement of the existing pipeline will future proof aviation fuel supplies to the West London Terminal storage facility through the provision of a modern and resilient aviation fuel pipeline. As part of its preparation of the Development Consent Order application, Esso has given consideration to the most appropriate size and capacity of the proposed replacement pipeline.*

*2.4.37 There is a balance to be struck between the increased cost, construction activity and environmental footprint of a larger diameter pipe, with the anticipated greater operational flexibility and capacity that a larger pipe diameter would provide.*

*2.4.38 Esso has decided that it will replace the existing 10inch (25cm) pipeline with a new 12inch (30cm) pipeline. This is a business decision by Esso, based on its consideration of the current and potential future economics of aviation fuel supply to the West London Terminal storage facility. This increased pipeline diameter will enable Esso to respond flexibly to both seasonal fluctuations in aviation fuel demand, and shorter term changes in demand.*

- 3.6 It is legitimate for an infrastructure provider to future-proof its installations. However, what sounds like a modest 5 cm increase in pipeline diameter equates to a more significant 44% increase in the sectional area of the pipeline, which would increase from 491 cm<sup>2</sup> for a 25 cm diameter pipe to 707 cm<sup>2</sup> for the 30 cm diameter pipe now proposed.
- 3.7 Assuming similar fuel flow rates and taking this 44% increase in sectional area as a proxy for pipeline capacity, it is instructive to compare this increase with the larger number of flights at Heathrow that the proposed third runway would enable. According to Heathrow Airport's project website<sup>1</sup>, the third runway will enable the airport to increase its annual number of flight movements from the current (capped) total of 480,000 flights per year to a new capacity of 740,000 flight movements a year – an increase in flight movements of 54%.
- 3.8 When allowance is made for the enhanced fuel efficiency of future aircraft, the percentage increase in aviation fuel demand associated with a third runway moves strikingly close to the increase in pipeline capacity that Esso proposes.
- 3.9 SBC appreciates that the national need for an infrastructure project should be assumed where NSIP projects supported by a National Policy Statement come forward for examination. However, given the local disruption that Esso's proposals would cause for communities along the pipeline route during construction and, in places, the permanent adverse effect on trees and landscape, the relationship of

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<sup>1</sup> See <https://www.heathrowexpansion.com/the-expansion-plan/facts-and-figures/>, consulted on 25 September 2019

the pipeline with Heathrow expansion deserves interrogation.

- 3.10 Esso admits in paragraphs 2.2.4 and 2.4.31 of its Planning Statement that the existing pipeline is serviceable. Paragraph 2.4.32 of the Planning Statement confirms that *‘Esso is safely able to continue to operate the current pipeline, utilising its highly sophisticated 24 hour monitoring and control systems associated with the pipeline’*. It is unclear whether the company would proceed with the replacement pipeline proposal in the absence of Heathrow expansion. There is uncertainty around the third runway project, including some cross-party political opposition. Accordingly SBC requests, in the event that ExA decides to recommend that a DCO be made for the pipeline project, that the Order be the subject of a Grampian provision in which pipeline construction would proceed only once a DCO has been made, or a main contract let, for the Heathrow expansion project. This could save Esso considerable abortive expenditure whilst simultaneously protecting numerous communities and environments from unnecessary disruption.

### **National planning policy**

- 3.11 The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018 and 19 February 2019. It sets out the government’s planning policies for England and how these are expected to be applied. According to NPPF paragraph 5:

*The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework) . . .*

- 3.12 In the current context SBC considers that the protections afforded to environmental assets in the following sections of the NPPF are relevant matters to the determination of Esso’s DCO application insofar as the project affects Spelthorne.

- *Section 5: Delivering a sufficient supply of homes* – which is relevant in the context of a proposed construction compound on Woodthorpe Road in Ashford (DCO work number CO 5Q).
- *Section 7: Ensuring the vitality of town centres* – which is relevant to the effects of pipeline construction on the centre of Ashford (DCO work number pipeline 1h, see Works Plan sheet 122 (application document 2.2 rev. 3, September 2019) and General Arrangement Plan sheets 122 (application document 2.6 rev. 2, September 2019).

- *Section 8: Promoting healthy and safe communities* – paras. 96-101 of which concern open space and recreation and are relevant to the effects of the pipeline on open space generally in Spelthorne, notably Fordbridge Park (DCO work number pipeline 1h, see Works Plan and General Arrangement Plan sheets 120).
- *Section 15: Conserving and enhancing the natural environment* – which includes provisions for the protection of trees, habitats and biodiversity, considered to be relevant wherever the construction of the proposed pipeline necessitates tree loss. Paras 178-182 of NPPF section 15 also include relevant provisions on ground conditions and pollution.

3.13 The specific relevance of this NPPF policy is highlighted in chapters 5-10 of this LIR.

## DEVELOPMENT PLAN AND OTHER LOCAL POLICY

3.14 Development plan policy can be a relevant consideration in the determination of a DCO application. According to the Planning Inspectorate's *Advice Note One: Local Impact Reports* (version 2, April 2012, see page 5 under the heading 'Content of the LIR') an LIR may include '*Relevant development plan policies, supplementary planning guidance or documents, development briefs or approved master-plans and an appraisal of their relationship and relevance to the proposals*'.

3.16 The development plan for Spelthorne comprises:

- *Spelthorne Core Strategy and Policies Development Plan Document* (adopted December 2009)
- *Spelthorne Allocations Development Plan Document* (adopted December 2009)
- *Six saved policies from the Spelthorne Local Plan* (adopted in 2001)

3.17 During autumn 2019 SBC will undertake public consultation on preferred options for a replacement local plan. This plan will not reach the adoption stage before the end of the current DCO examination and only limited weight can be given to any emerging provisions relevant to the pipeline route.

3.18 For the reasons set out in chapters 4-9 of this LIR, SBC considers that the following development plan policies are relevant to the determination of Esso's DCO application insofar as the project affects Spelthorne.

- ***Strategic Policy SP4: Town Centres and Retail Development*** – which states amongst other provisions that the Council –

*‘. . . will maintain the role of Ashford, Shepperton and Sunbury Cross as local shopping centres and seek opportunities for their improvement’.*

- **Strategic Policy SP5: Meeting Community Needs** - which states in full that:

*‘The Council will ensure provision is made for services and facilities to meet the needs of the community. It will also seek to retain existing services and facilities that meet a local need or ensure adequate replacement is provided.*

*‘New developments that individually or cumulatively add to requirements for infrastructure and services will be expected to contribute to the provision of necessary improvements’.*

- **Strategic Policy SP6: Maintaining and Improving the Environment** – according to which:

*‘The Council will seek to maintain and improve the quality of the environment of the Borough. It will:*

*a) ensure the design and layout of new development incorporates principles of sustainable development, and creates an environment that is inclusive, safe and secure, is attractive with its own distinct identity and respects the environment of the area in which it is situated,*

*b) contribute to improving air quality in the Borough,*

*c) protect and enhance areas of existing environmental character including sites of nature conservation value, areas of landscape value, the Borough’s historic and cultural heritage (including historic buildings and Conservation Areas) and open space of amenity and recreation value,*

*d) promote the improvement of poor quality environments both within the urban area and in the Green Belt’.*

- **Policy EN4: Provision of open space and sport and recreation facilities** – which provides that:

*‘The Council will seek to ensure there is sufficient open space which is well sited and suitable to meet a wide range of outdoor sport, recreation and open space needs by . . .*

*c) seeking to maintain, improve and where appropriate expand networks of green space and pedestrian and cycle routes with a recreational role,*

*d) retaining existing open space in the urban area used, or capable of use, for*

*sport and recreation or having amenity value where:*

- (i) there is a need for the site for sport or recreation purposes, or*
- (ii) the site as a whole is clearly visible to the general public from other public areas and its openness either:*
  - makes a significant contribution to the quality and character of the urban area by virtue of its prominence, layout and position in relation to built development in the locality, or*
  - is of particular value to local people where there is a shortage of open space in the locality . . .’.*

- **Policy EN7: Tree Protection** – which requires that:

*‘The Council will promote tree preservation orders wherever appropriate to safeguard healthy trees of amenity value, giving priority to the protection of those known to be under threat. Permission will not normally be granted to fell preserved trees, but where such trees are felled replacement planting will be required’.*

- **Policy EN8: Protecting and improving the landscape and biodiversity** – according which:

*‘The Council will seek to protect and improve the landscape and biodiversity of the Borough by . . .*

*b) working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value, and to secure the more effective management of land in the Borough,*

*c) ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest . . .’.*

- **Policy EN11: Development and noise** – which states that:

*‘The Council will seek to minimise the adverse impact of noise by:*

*a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level,*

*b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development*

*proposed in areas with high noise levels. Development will otherwise be refused  
...'*

- 3.19 At the time of writing, none of SBC's published Supplementary Planning Documents (SPD) is considered to be directly pertinent to the determination of Esso's DCO application.

## THE COUNCIL'S OVERALL POSITION

- 3.20 SBC does not object in principle to the proposed pipeline. For the various reasons given in this LIR the Council's objective is to ensure that adequate protection is provided for the communities and physical and environmental assets affected by the proposals.
- 3.21 The Council does not underestimate the challenge of designing and promoting a lengthy linear project of this type. Nonetheless the Council is concerned that inadequate attention has been given to the specific impacts of pipeline construction in individual locations. This is a recurrent theme in chapters 4-10 of this LIR.
- 3.22 With this in mind the Council will contribute constructively to the current DCO examination with a view to securing the safeguards it considers necessary to render the impacts on Spelthorne acceptable. As signaled in this LIR, these safeguards include enhanced and additional DCO requirements, method statements for works near trees and guarantees about the content of the Construction Environmental Management Plan (CEMP).
- 3.23 In respect of the outline CEMP submitted by the applicant (application document 6.4 – ES appendix 16.2, ref APP-130) the Council is particularly concerned at the near-complete lack of detail and the vague and recurrent statement that it would be for Esso's contractors to work up the detail of the document.





## Four ◆ Points of common concern with neighbouring local authorities

### INTRODUCTION

- 4.1 Esso's proposed pipeline runs through three local authority areas in north-west Surrey - Surrey Heath, Runnymede and Spelthorne ('the Councils'). Discussions between the three boroughs have revealed matters of generic concern in respect of the local impacts of the pipeline. These concerns are explained in this chapter, which appears in the LIRs submitted by all three authorities, along with potential remedies that the DCO could usefully afford. Later chapters of this LIR will demonstrate how these generic concerns arise in specific locations in Spelthorne.
- 4.2 This chapter is arranged under the following headings:
- Tree protection
  - Ecology and biodiversity
  - Transport
  - Residential amenity

### TREE PROTECTION

- 4.3 The proposed pipeline has, where possible, crossed undeveloped land including farmlands and heaths. Where a route through urban areas is considered by the Applicant to be unavoidable, the pipeline where possible follows roads with wide verges, or crosses public open space and playing fields.
- 4.4 The general logic of such a routing strategy is acknowledged. However, in Surrey a sensitivity is the extent of woodland in both rural and urban areas. According to aerial mapping company *BlueSky*, Surrey is England's most wooded county. A survey in 2014 indicated that 40.6% of Surrey Heath is wooded, as is 37.8% of Runnymede. In the more urban parts of the county including Spelthorne, trees are prized assets in the townscape and make a valuable contribution to local amenity.
- 4.5 In places Esso has sought to direct the pipeline corridor around blocks of woodland. However, as the site-specific examples cited later in this LIR explain, some sections of woodland would incur significant tree loss without the potential to replant trees above the finished pipeline afterwards. These include trees that are the subject of Tree Preservation Orders (TPOs), are ancient woodland or have ancient or veteran tree status. In other sections of the pipeline the DCO Order Limits or the Limits of Deviation for the pipeline route are wide enough to admit

the possibility of tree loss or harm to root systems.

- 4.6 Areas subject to TPOs are shown the Applicant's General Arrangement Plans (application document 2.6 rev. 2 vols 1-3, September 2019, ref APP-022 to APP-024). Schedule 8 of the applicant's draft DCO (application document 3.1 rev. 2, September 2019, ref APP-026) identifies trees subject to TPOs. In total, 31 tree groups or individual trees subject to TPOs in Surrey would be affected by the pipeline proposals. For 22 of these TPOs, the proposed works would include tree felling. Works otherwise generally comprise crown lifting and pruning to prevent damage during the movement of construction plant and machinery.
- 4.7 Environmental Statement (Volume D) Appendix 10.2 provides a Schedule of Notable Trees (application document 6.4, ref. APP-115). According to paragraph 10.2.10 of ES chapter 10: Landscape and visual, (application document 6.4, ref APP-050), *'notable trees are defined as prominent trees within the landscape and by nature will generally be the larger more mature specimens'*.
- 4.8 The Councils are content that the Applicant has identified protected and notable trees accurately. Of more concern is the assessment of undesignated mature trees, which can include trees in local authority parks and open spaces. ES paragraph 10.2.19 (second bullet) reports the Planning Inspectorate's advice at the EIA scoping stage of the project that *'Any undesignated mature trees or areas of woodland that could be affected by the project should be assessed in terms of their contribution to the landscape'*. Esso's response in the same bullet point is *'The impacts on trees has been informed by an arboricultural assessment and has been taken into account in Section 10.5 within the assessment of Potential Landscape Effects: Landscape Character'*. As explained in the site-specific sections of this LIR, the Councils are concerned that undesignated trees have not always been assessed accurately in terms of their landscape and visual amenity value.
- 4.9 In respect of mitigation for tree loss, ES chapter 10: *Landscape and visual* (application document 6.4, ref APP-050) states that:

*10.6.1 Mitigation has been identified in the form of native species hedge and tree planting. Native trees and hedgerows would be planted within areas identified as tree planting and hedge infilling on Figure 7.5 of the ES (LV1). This is a holistic approach to partly offset the envisaged loss of trees from the overall pipeline installation project . . .*

*10.7.5 The design of the route and the application of good practice measures, including narrow width working and trenchless crossings set out in the REAC, has reduced the impacts arising from pipeline installation on woodland, TPOs and protected trees within Conservation Areas. Whilst reinstatement planting would establish to reinstate lost vegetation, it would not be possible to fully mitigate the potential permanent loss of TPO trees in the same location. There would be*

*restrictions to planting trees over and around pipeline easements. There may also be less scope to accommodate reinstatement of trees within the wider urban area because of restrictions caused by built development, proximity to highways and underground services for example . . .*

#### **DCO provisions**

- 4.10 In respect of the protection afforded by the draft DCO for trees (see application document 3.2 rev. 2, ref. APP-026, Schedule 2 Part 1: Requirements), Requirement 6: *Construction Environmental Management Plan* states in part (d)(ix) that the CEMP must include an Arboricultural Management Plan. Requirement 8: *Hedgerows and trees* provides for a written plan of reinstatement for hedgerows and, which must form part of the *Landscape and Ecological Management Plan* to be approved in accordance with Requirement 12.
- 4.11 The ES offers no quantification of the overall likely tree loss to the proposed pipeline and its mitigation proposals are vague. The Applicant's ES offers at best a hazy view of the effects on trees and woodlands, cumulatively and at any given point along the pipeline.
- 4.12 As things stand any details of tree loss and mitigation would not become available until the DCO was already made. The Council does not consider that Requirements R6: *Construction Environmental Management Plan*, R8: *Hedgerows and trees* and R12: *Landscape and Ecological Management Plan* explicitly provide the level of protection for trees that should be a precondition for a DCO being made.
- 4.13 To address the paucity of detail about the measures that would be taken to work around and protect existing trees during construction, the Councils request that ExA invites Esso to submit a **Tree Survey and Protection Strategy** for consideration during the DCO examination process. The Strategy should explain in detail the working principles that Esso and its contractors will apply to minimise harm to trees, whether or not protected, during pipeline construction.
- 4.14 The DCO should enforce compliance with the Tree Survey and Protection Strategy and to ensure its implementation at the local level, the following DCO Requirement should be included in the Order.

*NEW REQUIREMENT: Before the commencement of work in any local authority borough or district through which the pipeline passes, a detailed Local Tree Protection Plan should be submitted to and approved by the relevant planning authority in accordance with the Tree Survey and Protection Strategy.*

*(1). The Local Tree Protection Plan should be prepared by a qualified member of the Arboricultural Association and should include:*

- (a) *a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread and estimated root spread of each retained tree;*
- (b) *details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;*
- (c) *details of any proposed topping, lopping or root severance of any retained tree, or of any tree on land adjacent to the site;*
- (d) *details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;*
- (e) *details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.*

*In this Requirement 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.*

- (2) *The Local Tree Protection Plan should include details of the species, diameter (measured in accordance with paragraph (1)(a) above), approximate height and an assessment of the general state of health and stability of any trees proposed for felling, and a scheme for their replacement or for other compensatory landscape and planting works. A written explanation of why the subject trees cannot be retained should be provided for each tree proposed for felling.*
- (3) *The Local Tree Protection Plan should include a scheme for the long-term after care of trees affected by the proposed works and trees planted in compensation for those lost. The scheme should be applicable for five years following the first operation of the oil pipeline.*

## **ECOLOGY AND BIODIVERSITY**

- 4.15 The proposed pipeline passes through or close to a range of European, statutory and non-statutory protected habitats.

- 4.16 All of Surrey Heath and parts of Runnymede lie within 5km of the Thames Basin Heaths Special Protection Area (SPA), which was designated by the European Union in March 2005. The Thames Basin Heaths SPA is a network of heathland sites designated for its ability to provide a habitat for three internationally important rare bird species - Dartford warbler, woodlark and nightjar. The SPA is protected from adverse effects under the Conservation of Habitats and Species Regulations 2017 (as amended) and European Directive 2009/147/EC.
- 4.17 The Thames Basin Heaths Joint Strategic Partnership Board (JSPB) was established to promote a coordinated approach between local authorities and other organisations responsible for protection of the Thames Basin Heaths SPA. The JSPB has adopted a Strategic Delivery Framework to manage and protect the SPA through measures including the provision of Suitable Alternative Natural Greenspace (SANG). These are areas that were not previously in use for recreation and which offer the capacity to absorb the additional recreational demand generated by new residential development, so relieving pressure on the SPA.
- 4.18 Elsewhere along the pipeline there are extensive areas designated as non-statutory Sites of Nature Conservation Importance (SNCI), many of which provide habitats for statutorily protected flora and fauna including the great crested newt. These sites are identified in the figures and appendices of the Applicant's ES.
- 4.19 The Council considers that specialist ecological advice is required to evaluate the potential impact of the construction of the pipeline on biodiversity and nature conservation interests. The Councils do not possess such expertise in-house and can offer only high-level comments on the local impacts of the proposed pipeline on the natural environment.
- 4.20 It is noted that Natural England has submitted a Relevant Representation (document ref. EN070005-000383, dated 26 and 27 July 2019) advising that it is content with Esso's approach to the protection of nature conservation interests and that a Statement of Common Ground between Esso and Natural England is due. It is encouraging that the Applicant has engaged with Natural England in a timely manner to address the sensitivities of running a pipeline through European protected habitats. However, it appears to the Council that there remain detailed and site-specific points of concern relating to the effects of the project on protected habitats that will warrant Natural England's close and continued attention throughout the DCO examination process.
- 4.21 Natural England's Relevant Representation indicates that it does not intend to engage closely with the examination of the pipeline proposal. Whilst Natural England's budget stringencies are acknowledged, local authorities are reliant on Natural England to provide timely advice on these matters.
- 4.22 It is requested that the Examining Authority directs written questions towards

Natural England and requests senior representation from Natural England at relevant hearings to ensure that nature conservation interest are properly represented. This will ultimately be in the applicant's interest by facilitating a positive conclusion to the Habitats Regulations Assessment process and helping to ensure that the Order, if finally made, is robust in these terms.

### **DCO provisions**

- 4.23 As noted, the Councils lack in-house ecological expertise and are concerned to avoid a situation where the burden of finding practical solutions to specific ecological sensitivities falls to the relevant planning authority when DCO Requirements are being discharged.
- 4.24 Requirement 12: *Landscape and Ecological Management Plan* and Requirement 13: *Protected species* of the draft DCO afford protection for the natural environment (see application document 3.2 rev. 2, ref. APP-026, Schedule 2 Part 1: Requirements).
- 4.25 Requirement 12 provides for the submission to and approval by the LPA of a Landscape and Ecological Management Plan (LEMP), *'reflecting the survey results and ecological mitigation and other measures in the REAC, including the SSSI working plans . . .'*. The REAC is a Register of Environmental Actions and Commitments set out in section 16.3 of ES chapter 16 *Environmental Management and Mitigation* (application document 6.2, PINS ref. APP-056).
- 4.26 The REAC includes embedded design measures and mitigation. It sets out commonsense high-level principles but there is little local or site-specific detail. This detail will be described or enforced through a range of subsidiary documents including a Code of Construction Practice (CoCP, provided as ES Appendix 16.1, ref. APP-128), an Archaeological Mitigation Strategy (AMS, provided as ES Appendix 9.5, ref APP-113), and a Construction Environmental Management Plan (CEMP, application document 6.4, ref. APP-130) and the LEMP. ES paragraph 16.1.4 explains that *'the CEMP and LEMP will require further design input that is not available at the time of the application'*.
- 4.27 An outline CEMP has been submitted by the Applicant (ES Appendix 16.2, ref. APP-130), but the Councils are concerned at the evident lack of detail in the outline document and the repeated disclaimer that it will be the contractor's responsibility to agree the details with local authorities. It is requested that ExA invites the applicant to submit a detailed draft CEMP within a reasonable timeframe during the current DCO examination for consideration.
- 4.28 Later sections of this LIR identify specific local impacts on ecology and biodiversity from the pipeline construction. In reviewing these specific impacts it is requested that ExA, advised as appropriate by Natural England, considers whether the

protections and safeguards proposed thus far by the Applicant would render specific impacts acceptable such that a DCO can be made. If not, it is requested that ExA seeks appropriate remedies from the Applicant before the examination closes and ensures that enforceable protective measures are incorporated in the draft DCO as submitted to the Secretary of State.

## TRANSPORT AND HIGHWAYS

- 4.29 In general, crossings of primary roads would be achieved by means of trenchless working. Subject to certain site-specific concerns identified later in this LIR, the Council supports this approach.
- 4.30 Numerous sections of the proposed pipeline cross run along highway corridors. Although these are often secondary or tertiary routes they are often busy thoroughfares. Road closures or contraflow working during the construction of the pipeline could give rise to substantial traffic congestion. In turn, this could disrupt bus services and impede the passage of emergency service vehicles. Traffic congestion can also adversely affect local businesses that rely on the restricted route for access.
- 4.31 Surrey County Council is the Local Highway Authority (LHA) for the three boroughs affected by the proposed pipeline in Surrey. In response to the individual traffic impacts identified later in this LIR it is requested that ExA seeks the LHA's advice on the workability of the temporary highways restrictions proposed by the Applicant.
- 4.32 Some of the roads affected by pipeline construction are frequented by emergency service vehicles. It is requested also that ExA seeks advice from Surrey County Council in its capacity as the statutory Fire and Rescue Service provider, and from Surrey Police and the South East Coast Ambulance Service NHS Foundation Trust, on the issue of whether a reasonable standard of emergency service protection can be maintained during the proposed roadworks.

### DCO provisions

- 4.33 Requirement 7: *Construction traffic* of the draft DCO provides for the submission to and approval by the relevant highway authority of a Construction Traffic Management Plan (CTMP). The Requirement states that '*The CTMP for each stage must reflect the mitigation measures set out in the REAC*'. This makes sense as far as it goes but the REAC is an all-embracing high level list and does not, in its own right, provide a sufficient basis for a CTMP.
- 4.34 Accordingly it is requested that the following provision is added to Requirement 7:



*ADDITION TO REQ7:*

*The CTMP for each stage will provide details of the following:*

- a) Development phasing*
- b) Vehicle types*
- c) Abnormal indivisible load movements*
- d) Recording of construction vehicle movements*
- e) Local highway issues and constraints*
- f) Highway condition survey*
- g) Access and route strategy*
- h) Signage strategy*
- i) Core working hours*
- j) Use of banksmen*
- k) Management of public rights of way*
- l) Wheel-washing and maintenance of a clean highway*
- m) Travel plan for construction workers*
- n) Temporary traffic management procedures*
- o) Temporary repositioning of bus stops*
- p) Communications and community engagement*
- q) Liaison with emergency services*
- r) Monitoring arrangements*
- s) Compliance and enforcement procedures*

## **RESIDENTIAL AMENITY**

- 4.35 The proposed pipeline would pass through many residential neighbourhoods. In the absence of effective mitigation, construction of the pipeline has the potential to give rise to a range of adverse effects on residential amenity including noise and vibration, airborne dust, mud on roads, disruption to utility services, restrictions of access to property and the loss of street trees and other vegetation.

### **DCO provisions**

- 4.36 Along with draft DCO Requirements 7: *Construction traffic*, 8: *Hedgerows and trees* and 14: *Construction hours*, the primary protection for residential amenity is Requirement 6: *Construction Environmental Management Plan*. As acknowledged above in respect of ecology, an outline CEMP has been submitted by the Applicant (ES Appendix 16.2, ref. APP-130), but the Councils are concerned at the lack of detail in the outline document and the repeated disclaimer that it will be the contractor's responsibility to agree the details with relevant local authorities.
- 4.37 In view of the very close proximity of construction works to residential properties at various points along the pipeline route, including those identified later in this LIR, it is requested that ExA invites the applicant to submit a detailed draft CEMP

within a reasonable timeframe during the current DCO examination (e.g. Deadline 3, 11 December 2019) for consideration. This would provide interested parties with a clearer impression of the range of measures proposed to protect residential amenity, enabling refinements to be made as necessary.

- 4.38 Requirement 7 should then be amended to ensure that the detailed CEMPs submitted to relevant planning authorities for approval will embrace all relevant provisions from the draft CEMP.



## Five ♦ River Thames to the Queen Mary Reservoir intake channel

### DCO PLAN REFERENCES

#### Works Plans

Application Document 2.2 rev. 3, September 2019 sheets 49, 50, 51, 117, 118.

#### General Arrangement Plans

Application Document 2.6 rev. 2, September 2019 sheets 49, 50, 51, 117, 118.

### DESCRIPTION

- 5.1 This chapter considers the effects of Esso's proposals from the point where the pipeline enters the administrative area of Spelthorne, from under the River Thames east of Chertsey Bridge, to the intake channel for the Queen Mary Reservoir north-east of Laleham.
- 5.2 The proposed pipeline enters the borough via a trenchless crossing of the River Thames from the south, having passed through the administrative area of Runnymede. This trenchless section is approximately 350 metres in length and enables the pipeline to pass under:
- the River Thames and the County Boundary to Sunbury Site of Nature Conservation Importance (SNCI), which includes the north bank of the Thames;
  - the eastern edge of Dumsey Meadow Site of Special Scientific Interest (SSSI), which lies between the Thames and the B375 Chertsey Bridge Road;
  - the B375 Chertsey Bridge Road itself.
- 5.3 The pipeline would break surface to the north-east of Old Littleton Road. It would then follow a short section of open cut route north along the line of Old Littleton Road between the southern section of the Land West of Littleton Lane SNCI and the Littleton Lane gypsy and traveller caravan site.
- 5.4 To the north and the west of the caravan site, the pipeline would pass under the M3 motorway via a trenchless section approximately 122 metres in length. It would emerge through an area of tree cover identified as priority habitat deciduous woodland, into the Brett Aggregates site located off Littleton Lane. This lies between the northern section of the Littleton Lane SNCI to the west and the

Littleton Lake SNCI to the east. The pipeline would then run north in an open cut section beyond the northern end of the trading estate site, where a major logistics hub to serve section H of the pipe is proposed.

- 5.5 The pipeline continues in a northerly direction, crossing an existing hedgerow and open arable land including a former landfill site to a trenchless crossing of Shepperton Road (B376). There are proposed construction compounds located to the north and south of this road, east of the pipe route, with associated access routes from the B376.
- 5.6 From the northerly construction compound the open cut pipeline continues north across further areas of former gravel workings, before passing through an area of broadleaved woodland and then bearing north-west to a trenchless crossing of the Queen Mary Reservoir intake channel at the southern end of Ashford Road (B377), adjacent to two ponds identified by the applicant as having populations of great crested newts. The trenchless crossing emerges close to the foot of Ashford Road, which is considered in the next chapter of this LIR.

## PLANNING AND ENVIRONMENTAL DESIGNATIONS

- 5.7 All of this section of the proposed pipeline is located in the metropolitan green belt. Spelthorne BC does not consider that the proposals conflict with the objectives of green belt designation.
- 5.8 The pipeline route passes under the eastern edge of the Dumsey Meadows SSSI, a nationally designated site for being the only remaining grazed unimproved grassland meadow in Surrey. Trenchless crossing should ensure that there is no harm to nature conservation interests.
- 5.9 The pipeline would pass under the *River Thames County Boundary to Sunbury SNCI*. However, works are proposed in the *Land West of Littleton Lane SNCI* and *Land West of Queen Mary Reservoir SNCI* and the proposed pipeline passes alongside the *Littleton Lake SNCI*. SNCIs are afforded protection by saved policies RU11 and RU14 of the Spelthorne Borough Local Plan 2001.
- 5.10 The pipeline passes directly adjacent to the Littleton Lane gypsy and traveller caravan park. This site is afforded protection by policy HO6 of the Spelthorne Core Strategy and Policies DPD, 2009, which states:
- 'The Council will provide for the needs of Gypsies and Travellers by:*
- a) Safeguarding existing authorised sites used by Gypsies and Travellers . . .'*
- 5.11 Ponds 223 and 223a, which lie just south of the reservoir intake channel, have been identified as potential locations for great crested newts protected under

Schedule 2 of the Conservation of Habitats and Species Regulations 2010 and under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

- 5.12 The north-eastern area of Laleham to the west of the proposed route is identified in the adopted Proposals Map DPD (2009) as an area of High Archaeological Potential and is protected by saved Local Plan policy BE25.
- 5.13 East of Laleham the pipeline through this section passes through areas at high risk of flooding including Flood Zone 2 (between 1 in 1,000 and 1 in 200 year flood risk), Flood Zone 3a (1 in 100 year flood risk) and Flood Zone 3b (1 in 20 year). As such Policy LO1 of the Spelthorne adopted 2009 plan applies.

*The Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by:*

- a) supporting appropriate comprehensive flood risk management measures within or affecting the Borough which are agreed by the Environment Agency,*
- b) reducing the risk of flooding from surface water and its contribution to fluvial flooding by requiring all developments of one or more dwellings and all other development over 100m<sup>2</sup> of floorspace in the Borough to have appropriate sustainable drainage schemes,*
- c) maintaining flood storage capacity within Flood Zone 3 by refusing any form of development on undeveloped sites which reduces flood storage capacity or impedes the flow of flood water,*
- d) maintaining the effectiveness of the more frequently flooded area (Zone 3b) of the floodplain to both store water and allow the movement of fast flowing water by not permitting any additional development including extensions,*
- e) not permitting residential development or change of use or other 'more vulnerable' uses within Zone 3a or 'highly vulnerable uses' within Zone 2 where flood risks cannot be overcome,*
- f) supporting the redevelopment of existing developed sites in the urban area in Zones 3a and 3b for 'less vulnerable' uses where: i a minimum increase of flood storage capacity of 20% can be secured (all flood storage areas to be effective at all times throughout the lifetime of the structure/use and do not create unacceptable risks to people in times of flood), ii it reduces impedance to the flow of flood water where there would be flowing flood water, iii appropriate access for the maintenance of water courses is maintained, iv there is no adverse impact on the integrity and effectiveness of flood defence structures.*
- g) requiring any development in Zones 2, 3a and 3b to be designed to be flood*

*resilient/resistant, h) requiring all development proposals within Zones 2, 3a and 3b, and development outside this area (Zone 1) on sites of 0.5ha or of 10 dwellings or 1000m<sup>2</sup> of non-residential development or more, to be supported by an appropriate Flood Risk Assessment.*

- 5.14 The Council defers to the Environment Agency on the issue of whether the proposed works have any implications for flood risk but has no immediate grounds for concern.

## LOCAL IMPACTS

- 5.15 In general Spelthorne BC is content that the proposed works in the area between the River Thames and the Queen Mary Reservoir intake channel can proceed without giving rise to unacceptable local impacts. This is an open area of the borough and the pipeline route generally acknowledges and steers around known land use and environmental sensitivities. Appropriate use would be made of trenchless construction techniques to avoid harm to protected wildlife habitats and to avoid the closure of major highways.

- 5.16 Spelthorne BC anticipates the following local impacts along this section of the proposed pipeline.

### **i). Effects in relation to hydrology and flood risk**

- 5.17 The section of the proposed works covered in this chapter of the LIR passes through areas deemed to be at high risk from flooding.

- 5.18 Paragraph 8.5.37 in chapter 8: *Water* of the Applicant's ES (application document 6.2, ref. APP-048) identifies a potential moderate adverse effect for the B376 Shepperton Road crossing. This low-lying area has a high water table and excavated workings would need to be pumped to prevent ponding, raising the risk that the water might be contaminated.

- 5.19 The Applicant's proposed mitigation is for water quality to be tested before discharge, which reduces the magnitude of the effect to minor and therefore non-significant. Whilst acknowledging the safeguards provided by Requirement 10: *Contaminated land and groundwater* of the draft DCO (application document 3.2 rev. 2, ref, APP-026, Schedule 2 Part 1: Requirements) and by draft Requirement 6: *Construction Environmental Management Plan*, which includes provision for an erosion and sediment control plan and a water mitigation and management plan, the Council requests clarity on what would actually happen should a dynamic contaminated water problem arise.

- 5.20 The Council is content that once operational there should be no significant

increase in the risk of flooding as a result of the pipeline. The safeguards provided by Requirement 9: *Surface and foul water drainage* of the draft DCO (application document 3.2 rev. 2, Schedule 2 Part 1: Requirements), which provide for engagement with the Environment Agency, are supported.

- 5.21 The land to the north of the proposed logistics hub near the Littleton Lane trading estate is a former landfill site. As such, ground conditions are uncertain with the potential for contamination to be mobilised during the construction process in an area where groundwater has been identified as a sensitive receptor. The Council seeks reassurance that suitable control measures specific to this issue will be provided in the CEMP (DCO Requirement 6). In this respect it is noted that Requirement 10: *Contaminated land and groundwater* of the draft DCO is reactive and only covers problems arising once the authorised development is underway.

**ii). Effects in relation to ecology and biodiversity**

- 5.22 Subject to the views of Natural England, the Council is satisfied that the trenchless crossing on the edge of Dumsey Meadows SSSI would not lead to an adverse effect in regard to the integrity of the site, as all works in this area will be below the surface.
- 5.23 The Council is satisfied that as a result of the trenchless crossing there will also be no adverse effect on the River Thames County Boundary to Sunbury SNCI.
- 5.24 Chapter 7: *Biodiversity* of the Applicant's ES (application document 6.2, ref. APP-047) considers the effects on SNCIs in Spelthorne. Paragraph 7.5.473 notes that there is the potential for habitat loss in the Littleton Lane SNCI, an effect assessed as being of minor adverse significance. There would also be minor encroachment (0.22 ha) into the Land West of Queen Mary Reservoir SNCI (paragraph 7.5.475). Trees and other vegetation are proposed for clearance in both areas.
- 5.25 ES paragraph 7.5.476 states that no temporary loss of habitats supporting bird assemblages would be lost. However, the Council is concerned that ES paragraph 7.5.476 might be incorrect given the physical loss of woodland identified and the value placed on these woodlands in respect of the South West London Waterbodies SPA/Ramsar and Staines Moor SSSI. Paragraphs 7.5.360-361 of the Applicant's ES acknowledge that these woodlands help to provide buffering between the statutorily designated areas and urban areas beyond. It is requested that ExA seeks Natural England's advice on this matter.
- 5.26 The loss of vegetation aside and subject to Natural England's advice, the Council considers that all other likely effects on the SNCIs are insignificant and that there would be no conflict with the saved policies RU11 and RU14 of the Spelthorne Borough Local Plan 2001.



5.27 Subject to the views of Natural England, the Council is content with the provisions for the protection of great crested newts at the two ponds identified.

**iii). Green belt**

5.28 As noted, because the finished pipeline would be underground the Council is satisfied that there would be no conflict with green belt policy as set out in saved policy GB1 of the Spelthorne Borough Local Plan 2001 or section 13 of the NPPF.

**iv). Landscape and visual effects including trees**

5.29 A belt of priority habitat deciduous woodland identified by Natural England runs on the northern side of the M3 above area of the trenchless crossing (trenchless section no. TC035). The ES appears not to specifically identify this area of trees. However, para. 10.5.58 in chapter 10: *Landscape and visual* of the ES (application document 6.2, ref. APP-050) advises that:

*For trenchless crossings . . . TC030 to TC040, vegetation would be retained except where emergency access is required to trenchless equipment or where ecological works have been proposed . . .’.*

5.30 The Council seeks reassurance that the presence of this belt of trees has been recognised by the Applicant and that the trenchless pipeline works would not cause significant harm to tree roots.

**v). Crossings of the M3 motorway and the B376 Shepperton Road**

5.31 The Council supports the use of trenchless construction methods for crossing these M3. Both roads need to remain open at all times.

**vi). Effects of the proposed logistics hub**

5.32 Subject to the views of the landowners and the Highways Authority, the Council is satisfied that the proposed logistics hub to the north of the Brett Aggregates site is an appropriate location. A hub in this location would not result in the loss of areas of tree cover or directly affect designated ecological sites. It is assumed that the applicant’s CEMP will provide contingency arrangements in relation to unexpected ground conditions and flood risk, bearing in mind that the hub would be located in food zone 2.

**vii). Effects of construction compounds (CO 50 and CO 5P)**

5.33 Subject to the views of the Highways Authority, the Council is satisfied that the location of the two proposed construction compounds, CO 50 to the south of Shepperton Road and CO 5P, to the north of Shepperton Road, are acceptable

locations. They do not result in tree loss or directly affect designated ecological sites and are suitable remote from sensitive receptors.

**viii). Effects on the Littleton Lane gypsy and traveller caravan park**

- 5.34 Subject to the provision of appropriate community liaison arrangements under part (2)(c) of DCO Requirement 6: CEMP (application document 3.2 rev. 2, ref. APP-026, Schedule 2 Part 1: Requirements) the Council is satisfied that there would be no conflict with policy HO6: *Sites for gypsies and travellers* of the Spelthorne Core Strategy and Policies DPD, 2009.

**UNRESOLVED MATTERS AND PREFERRED MITIGATION**

- 5.35 Subject to the satisfactory resolution of the concerns raised in this chapter in respect of tree protection, hydrology issues and ecological safeguards, Spelthorne BC considers that, in principle, the section of the proposed pipeline between the River Thames and the intake channel of the Queen Mary Reservoir is acceptable in respect of its predicted local impacts. Provided that these detailed concerns can be addressed, the Council considers that the section of the pipeline considered in this chapter would be consistent with NPS, NPPF and local plan policy.



## Six ◆ Ashford Road

### DCO PLAN REFERENCES

#### Works Plans

Application Document 2.2 rev. 3, September 2019 sheets 51, 52, 119, 120.

#### General Arrangement Plans

Application Document 2.6 rev. 2, September 2019 sheets 51, 52, 119, 120.

### DESCRIPTION

- 6.1 This chapter considers the effects of Esso's proposals on the B377 Ashford Road B377, including effects upon local residents, trees and the Council's White House Depot located on Kingston Road at the northern end of Ashford Road.
- 6.2 The relevant section of the proposed pipeline approaches Ashford Road from the south-east, emerging from a trenchless crossing passing under the Queen Mary Reservoir intake channel. The pipeline runs alongside the intake channel until it reaches Ashford Road, where it turns approximately 90° to follow the line of Ashford Road in a north-easterly direction.
- 6.3 The Order Limits follow the alignment of Ashford Road and extend laterally onto to the eastern road verge. The verge features a continuous line of mature woodland designated as a group TPO. In addition to its inherent landscape and visual value along Ashford Road the woodland provides screening to an active gravel works to the east.
- 6.4 A pipeline valve site is proposed on the eastern verge of Ashford Road a short distance to the south of the Staines Reservoirs Aqueduct (valve 14). Thereafter a trenchless crossing beneath the Staines Reservoir Aqueduct and Ashford Road is proposed, emerging into Fordbridge Park and with an overall length of approximately 137m. The pipeline route in Fordbridge Park onwards and beyond is considered in the next chapter of this LIR.
- 6.5 The western side of Ashford Road generally comprises detached suburban housing on sizeable plots.

### PLANNING AND ENVIRONMENTAL DESIGNATIONS

- 6.6 All of this section of the proposed pipeline is located in the metropolitan green

belt. The green belt designation extends generally to the front garden walls of housing on the western side of Ashford Road.

- 6.7 At the southern end of this pipeline section, the proposed pipeline passes under the River Land West of Queen Mary Reservoir SNCI. The SNCI covers most of the worked and active gravel pits and runs parallel to Ashford Road. SNCIs are afforded protection by saved policies RU11 and RU14 of the Spelthorne Borough Local Plan 2001.
- 6.8 As identified in the Applicant’s General Arrangement Sheet 51 (Reg 5(2)(0)), the deciduous woodland on the eastern side of Ashford Road is the subject of a Tree Preservation Order (TPO, numbered by the Applicant as TPO 075). Additional TPOs apply to trees the southern end of Ashford Road on its western side, within and adjacent to domestic house plots (numbered by the Applicant as TPO 076 and TPO 77).
- 6.9 A residential neighbourhood on western side of Ashford Road between Elizabeth Avenue and Gloucester Crescent is covered by policy EN4 of the adopted Spelthorne Core Strategy and Policies DPD 2009. The policy seeks to protect open land within identified residential estates. The Council does not consider that this policy is relevant to the consideration of the current DCO application.

**LOCAL IMPACTS**

6.10 The Council predicts the following local impacts along this section of the proposed pipeline.

**i). Effects on highways and traffic**

6.11 The effect on people and communities is assessed in chapter 13 of the Applicant’s ES (application document 6.2, ref. APP-053). Appendix 13.1 to this chapter (application document 6.4, ref. APP-119) comprises a Traffic and Transport Technical Note, in respect of which para. 13.4.53 of ES chapter 13 concludes that:

*‘... there is not anticipated to be significant impacts on traffic (traffic flows, journey times and collisions and safety) during the construction of the project. Therefore, no significant adverse impacts are anticipated in regard to disruption on people and communities in Section H’.*

6.12 Pipeline section H runs from the M3 motorway to Esso’s oil terminal and includes Ashford Road. Based upon this conclusion, no mitigation is proposed by the Applicant.

6.13 The B377 Ashford Road is a well-used route into the town centre of Ashford from

the south and is an important and well-used route running between Chertsey and Laleham to the south and Ashford to the north. Ashford Road is a bus route and is frequented by vehicles running to and from the Council's White House Depot, located on Kingston Road at the northern end of Ashford Road.

- 6.14 In the absence of a detailed construction programme for this section of pipeline the Council anticipates that there will be a need for contraflow traffic management and, during tree works, possible road closures.
- 6.15 It is acknowledged that these works would be temporary but there is uncertainty about the anticipated length of the construction programme for Ashford Road. Table 3.4 in Chapter 3: Project description of the applicant's ES (application document 6.2, ref. APP-043,) identifies '*locations of closure or traffic management in place for more than four weeks*'. For Ashford Road a 1,450 metre long section of pipeline would be installed over a period of 18 weeks at an average rate of 90 metres of pipeline per week. However, table 3.1 of the Transport Technical Note (application document 6.4, ref. APP-119) assesses a smaller pipeline length of 1,310 metres, constructed over 15 weeks. Paragraph 8.2.7 of the Transport Assessment (application document 7.4, ref. APP-136) states that temporary traffic management will be no longer than 15 weeks. It is unclear whether these timings include the trenchless pipeline construction proposed at the northern and southern ends of Ashford Road.
- 6.16 The Transport Technical Note deems Ashford Road to be a low sensitivity receptor based on it being described as a local scale road that is not sensitive to change and/or it has a considerable capacity to accommodate change. Paragraph 1.5.1 states that a guide to the application of these sensitivities is provided in section 6.3 of Chapter 6 of the ES. However, the Council cannot find this explanation in ES Chapter 6.
- 6.17 For all these reasons there is the potential for considerable and significant levels of disruption to people and communities living on and travelling along Ashford Road. The Council considers that the Applicant's EIA has undervalued the sensitivity of the receptors and the magnitude of the effects, and thus their overall significance. Given the potential for significant direct effects on residents and road users it is requested that ExA seeks clarification on the Applicant's intentions for this pipeline section, as requested in Chapter 4 of this LIR, invites the Local Highway Authority to comment on the adequacy of the Applicant's traffic management measures for Ashford Road.
- 6.18 For Ashford Road and affected highways elsewhere in the Borough, the Council would also appreciate reassurance from Esso and the LHA that safeguards will be in place to ensure that a high quality road surface will be provided after construction. The road surface above filled excavations can be prone to gradual settlement and potholing that can be hazardous particularly for cyclists and

motorcyclists.

## **ii). Noise and vibration**

- 6.19 There is no noise and vibration chapter in the ES. Instead a Noise and Vibration Technical Note is provided as ES Appendix 13.3 (application document 6.4, ref. APP-121). This Technical Note does not identify any residential receptors to be significantly affected along Ashford Road, with the implication that the noise and vibration mitigation measures outlined in the technical note do not apply to Ashford Road.
- 6.20 The Noise and Vibration Technical Note explains that only areas where there are ten or more receptors have been considered. The Council is concerned that the effects on the receptors in Ashford Road have not been appropriately considered. Given the residential character of the road, the duration of construction, the fact that a valve is to be constructed and that two trenchless crossings are proposed, the Council believes that there is significant potential for noise on the residential receptors located along the road and for the businesses located at the northern end of Ashford Road, including a day nursery.
- 6.21 In respect of significant observed adverse effect levels (SOAEL) the Noise and Vibration Technical Note states in paragraph 6.1.15 that:
- ‘Receptors near trenchless worksites could experience noise over a longer duration. Within the overall works at trenchless crossing sites, the piling, excavation and drilling works have the potential to temporarily exceed the adopted daytime SOAEL levels noise levels. Based on the anticipated timescales the combined duration of the piling, excavation and drilling works would not exceed 30 days so SOAEL would not be exceeded for receptors’.*
- 6.22 The Applicant’s Planning Statement appears to contradict these timings, stating in paragraph 4.8.1 that works at trenchless crossings will take 4-5 weeks per 100 metres and two weeks for every additional 100 metres. The trenchless crossings at the northern end of Ashford Road would be 137 metres long and thus take longer than 4-5 weeks to construct, so bringing it within the SOAEL definition used in the Noise and Vibration Technical Note.
- 6.23 Paragraph 3.4.8 in ES Chapter 3: *Project description* (application document 6.2, ref. APP-043) states that construction timings are based on the assumption that the works will not be unduly restricted with regards to working hours and weather conditions, that certain activities will require 24 hour working and that, if hours are restricted, the work will take longer. Given that the trenchless crossing at the top of Ashford Road is approximately 137m in length, this would suggest that the works will take longer than the 30 day threshold stated.

6.24 Citing BS 5228-1:2009+A1:2014 (BSI, 2014a), paragraph 7.1.1 of the Noise and Vibration Technical Note states that thresholds for significant noise are *'for a period of 10 or more days of working in any 15 consecutive days or for a total number of days exceeding 40 in any 6 consecutive months'*. Paragraph 7.1.2 of the Noise and Vibration Technical Note claims that the criteria would not be met by receptors along the route and criteria are not expected to be exceeded at trenchless crossings. Given the potential longevity of trenchless construction and the fact that the trenchless crossing point is in close proximity to the valve location, the Council is concerned that the cumulative effect on receptors and the identification of suitable mitigation measures has not been adequately considered and requests that ExA seeks clarification from the Applicant of the actual likely effects upon receptors in Ashford Road and the control measures in the CEMP.

**iii). Related considerations**

6.25 The two trenchless crossings proposed on Ashford Road would employ the horizontal directional drilling (HDD) method that will create muds that need to be treated. Paragraph 3.4.62 of ES Chapter 3: *Project description* (application document 6.2, ref. APP-043) states that *'when the works are within an urban environment and it is not possible to have on-site treatment facilities, the mud would be removed from site using a sealed tanker'*. The Council is concerned that the effects of managing mud arisings, including noise, drainage and tanker movements, has not been assessed clearly in the Applicant's ES such that the local impacts can be understood.

6.26 The draft Code of Construction Practice (appendix 16.1 of the ES - application document 6.4, ref APP-128) is general in application and includes no site-specific provisions for Ashford Road. As noted in earlier in this LIR, the outline CEMP (ES appendix 16.2, application document 6.4, ref. APP-130) is notably lacking in detail and offers no specific provisions in respect to Ashford Road.

**iv). Effects on landscape and visual interests, including TPOs**

6.27 The Order Limits for the Ashford Road section of the proposed pipeline include the full width of the Ashford Road carriageway along with the verge on the eastern edge of the road up to the designation of the TPO (listed as TPO75 in the General Arrangement Plans). Paragraph 10.2.33 in Chapter 10: *Landscape and visual* of the ES (application document 6.2, ref. APP-050 refers to the landscape impacts as being largely temporary, on the basis that vegetation can recover.

6.28 The Council is concerned that the loss of mature and valued trees from the landscape cannot be dismissed as temporary and that the effects of these losses on local receptors, including ecological receptors, has not been quantified and has been undervalued in the pipeline application, such that additional mitigation or avoidance measures have not been sought. Chapter 4 of this LIR offers general



comments about the adequacy of Esso's assessment of the effects on trees and woodland, and proposes an additional DCO Requirement concerning tree protection that would be of direct benefit in the context of Ashford Road.

- 6.29 ES paragraph 10.5.57 acknowledges that *'trees provide key characteristic features within the urban area and losses would significantly affect the character of the urban environment. The character and amenity of streetscapes would be affected by the loss of trees in some areas'*. It is acknowledged later in the paragraph that *'a localised area of notable TPO trees would . . . be removed to accommodate valve 14 east of Ashford Road.'* However, the Council is concerned that potential adverse effects on protected trees along the length of Ashford Road has not been clearly assessed. The TPO (TPO75) directly abuts the work area and trees overhang Ashford Road considerably, with the implication that their root systems likewise extend well into the defined area of works.
- 6.30 Paragraph 42 in Part 6: *Miscellaneous and General* of the draft DCO (application document 3.2 rev. 2) would grant the Applicant considerable powers to undertake works affecting trees subject to TPOs. Schedule 8 of the DCO identifies in relation to TPO75 that there is a need for felling works to allow for construction of the valve and that there will be the need for crown lifting / pruning of overhanging branches for the whole of the TPO.
- 6.31 The Council is concerned that, given the need for the works to be undertaken in the verge and for a three metre easement either side of the installed pipe, there might actually be the need for more significant tree works than currently indicated including the felling of additional trees along the length of Ashford Road. This concern is reinforced by the vague commitments in the ES chapters 3 and 10 to the contactor using where practicable the relevant protective principles set out in the National Joint Utilities Group Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (NJUG Volume 4(2007)). The Council does not consider this to be an adequate safeguard.
- 6.32 TPO 076 is located on the western side of Ashford Road and lies outside of the order limits as set out in General Arrangement Plan 51. This is an important group of trees on the residential side of Ashford Road, hence its designation as a TPO. The draft DCO states in Schedule 8 that these trees are subject to felling works and crown lifting/pruning. This tree loss appears not to have been assessed in the ES and the affected trees in any case lie outside the Order Limits. The Council queries why these trees have been earmarked for felling.
- 6.33 Paragraph 10.5.61 in chapter 10 of the Applicant's ES that *'Tree loss within the [National Character Area] would cause noticeable damage to the landscape and would cause impacts of medium duration before reinstatement planting will be established. During construction and year 1 post-construction the impact magnitude will be medium and the significance moderate'*. ES paragraph 10.5.62

acknowledges that it is not possible to fully mitigate the potential permanent loss of TPO trees or to replace notable trees and mature vegetation. However it goes on to state that at year 15 post-construction the magnitude of the effect becomes minor and non-significant.

- 6.34 The Council is concerned with regard the use of the word ‘potential’ which implies that there may or may not be a loss of trees, when the plans and the ES clearly state that there will be losses of TPO-protected trees as outlined above. Furthermore the ES states widely that there will be a three metre easement on either side of the new pipe where tree planting will not be allowed. This conflicts with the general claim that reinstatement planting will ensure the effects are not significant. The ES identifies areas where reinstatement planting is proposed and Ashford Road is not included.
- 6.35 Table 10.16 of the LVIA chapter of the ES states that valve 14 would have a minimal impact due to the urban context of Ashford Road, but also acknowledges the ‘substantial tree belt’ of Ashford Road. Paragraph 15.8.31 states that the land take for valve 14 is 5 x 7 metres and therefore is not significant. There is no explanation provided as to the basis for this conclusion and what would be deemed significant. The Council considers that given the situation of the road and the fact that there is only development along one side, the urban context argument is not valid in this location and underplays the impact of the loss of trees along the length of Ashford Road and particularly at valve 14.

**v). Effects on the operation of the Council’s White House Depot**

- 6.36 The Council’s main operational base for community services including waste and recycling and grounds maintenance is the White House Depot at the northern end of Ashford Road. From this depot the primary route to the southern half of the borough is Ashford Road. The Council is concerned that this has not been identified as a sensitive receptor in the Applicant’s assessment. For the Council to be able to undertake its statutory and operational duties, safe and unimpeded access needs to be maintained to the depot at all times. Given that the depot has not been identified as a receptor and in view of uncertainties regarding the robustness of the transport assessment work, the Council considers that the effects on operations from the depot during the construction phase require clarification.

**vi). Green belt**

- 6.37 Because the pipeline is underground the Council is satisfied that there would be no conflict with green belt policy as set out in saved policy GB1 of the Spelthorne Borough Local Plan 2001 or section 13 of the NPPF.

## UNRESOLVED MATTERS AND PREFERRED MITIGATION

- 6.38 The Council considers that the level of information provided by the Applicant on the Ashford Road section of the proposed pipeline does not provide a sufficient basis for decision making as set out in parts 5.9: *Landscape and visual*, 5.11: *Noise and vibration* and 5.13: *Traffic and transport* of NPS EN-1 and parts 2.20: *Gas and oil pipelines impacts: noise and vibration* and 2.21: *Gas and oil pipelines impacts: Biodiversity, landscape and visual* of NPS EN-4.
- 6.39 In the absence of the additional information and proposed protective measures specified in this chapter, the Council considers that the Ashford Road section of the proposed pipeline conflicts with the following policies of the Spelthorne Core Strategy and Policies DPD:
- Strategic policy SP6: *Maintaining and improving the environment*
  - Policy EN7: *Tree protection*
  - Policy EN11: *Development and noise*
- 6.40 The Council is willing to engage with the Applicant in pursuit of the environmental information and safeguards identified in this chapter.

## Seven ◆ Fordbridge Park and Celia Crescent

### DCO PLAN REFERENCES

#### Works Plans

Application Document 2.2 rev. 3, September 2019 sheet 52.

#### General Arrangement Plans

Application Document 2.6 rev. 2, September 2019 sheet 52.

### DESCRIPTION

- 7.1 This chapter considers the effects of Esso's proposals on Celia Crescent and Fordbridge Park. The relevant section of the pipeline approaches from the south along Ashford Road. The pipeline route then runs from east to west through Fordbridge Park in an open cut trench. It then passes under the A308 Staines By-Pass and the River Ash in a trenchless section extending to Woodthorpe Road to the north.
- 7.2 Fordbridge Park and the residential neighbourhood of Celia Crescent to the south together occupy an area bounded by the A308 Staines by-pass to the north, Woodthorpe Road to the west and Kingston Road to the south and east.
- 7.3 Celia Crescent comprises four distinct roads with access from Woodthorpe Road to the west and Kingston Road to the south. Three of the four roads run south to north and the fourth road runs west to east. The roads are relatively narrow and lined mainly by semi-detached bungalows and chalet style dwellings, resulting in an intimate residential environment.
- 7.4 Fordbridge Park is an attractive public open space with open areas of grass and substantial areas of woodland, incorporating specimen and memorial trees. It is the principal area of public open space available for informal recreation in the sizeable residential neighbourhood between the Staines by-pass to the north and the River Thames to the south. The Park is accessible to maintenance vehicles from Kingston Road to the south and Woodthorpe Road to the west.
- 6.5 High voltage electricity transmission lines cross the park with pylons located close to the eastern and northern boundaries. The corridor beneath the power lines is kept free of tall woodland vegetation.

## PLANNING AND ENVIRONMENTAL DESIGNATIONS

- 7.6 Fordbridge Park is in the metropolitan green belt and is protected by saved policy GB1: *Green belt* of the Spelthorne Borough Local Plan 2001. Explanatory paragraph 2.13 of the Spelthorne Core Strategy and Policies DPD 2009 states that:

*Engineering or other operations, including material changes in use, are inappropriate unless they maintain openness and do not conflict with the purposes of including land in the Green Belt*

- 7.7 This policy is consistent with the Section 13: *Protecting green belt land* of NPPF 2019.. Paragraph 146 of the NPPF identifies that engineering operations are not inappropriate provided they preserve its openness. The Council is content that the works proposed in Fordbridge Park are consistent with green belt policy.

- 7.8 Fordbridge Park, is designated as Priority Habitat by Natural England with the main habitat being deciduous woodland.

- 7.9 There are no other planning and environmental designations specific to Celia Crescent and Fordbridge Park. Core Strategy DPD policy EN4: *Provision of open space and sport and recreation facilities* affords the following protection for existing open space:

*'The Council will seek to ensure there is sufficient open space which is well sited and suitable to meet a wide range of outdoor sport, recreation and open space needs by:*

- a) providing additional space where required (see also Policy CO3),*
- b) maintaining and improving provision and access to open space through the design and layout of new development, encouraging owners and users of private sites to make improvements and also improving provision on Council owned land,*
- c) seeking to maintain, improve and where appropriate expand networks of green space and pedestrian and cycle routes with a recreational role,*
- d) retaining existing open space in the urban area used, or capable of use, for sport and recreation or having amenity value where:
 
  - i). there is a need for the site for sport or recreation purposes, or*
  - ii ). the site as a whole is clearly visible to the general public from other public areas and its openness either:**

- *makes a significant contribution to the quality and character of the urban area by virtue of its prominence, layout and position in relation to built development in the locality, or*
- *is of particular value to local people where there is a shortage of open space in the locality.*

*iii). the site is of particular nature conservation value, of at least SNCI or equivalent quality.*

*Exceptionally, development may be allowed on part of a site within the urban area which should otherwise be maintained for the above reasons where:*

- e) the remainder of the site is enhanced so its public value in visual and functional terms is equivalent to the original site or better, or*
- f) essential ancillary facilities are proposed to support outdoor recreational use of the site, or*
- g) the sport or recreational use is relocated to an alternative site of equivalent or greater value in terms of quantity, quality and accessibility to users of the original site, and other factors do not justify retention’.*

7.10 Core Strategy and Policies DPD Policy EN7: *Tree protection* states that:

*‘The Council will promote tree preservation orders wherever appropriate to safeguard healthy trees of amenity value, giving priority to the protection of those known to be under threat. Permission will not normally be granted to fell preserved trees, but where such trees are felled replacement planting will be required’.*

7.11 Compliance of the proposed pipeline with policies EN4 and EN7 is considered below.

## LOCAL ISSUES

### Works proposed in Fordbridge Park

7.12 A description of the work that Esso proposes in Fordbridge Park is provided in the following section of the Applicant’s Planning Statement (application document 7.1, ref. APP-133, page 521):

*Site 13 Fordbridge Park*

*‘16.4.56 This is a well-used local park with some formal recreation facilities which*

*are unaffected by the replacement pipeline Order Limits. There are a number of 'memorial trees' which have been planted by local people to commemorate the people or events that are important locally. The park has a number of paths that provide circular walks through the open space.*

*16.4.57 The proposed replacement pipeline Order Limits have been set to allow for flexibility to avoid 'memorial trees'. The final route of the pipeline is identified by the Order Limits and the Limits of Deviation show where the pipeline may be located, this allows for flexibility to construct the pipeline reducing the impact on the memorial trees. The Park will also accommodate the launch/receiving pits for two trenchless crossings, one across from Ashford Road and Kingston Road into the south of the park and a second from the north of the park across the Staines Bypass across to Woodthorpe Road. These pits will be contained within small compounds by may be in place for a number of weeks. Access for the southern trenchless pit will be from Ashford Road, and limited heavy plant access. The northern pit will be accessed for light vehicles from Celia Crescent. The footpaths impacted by the pipeline route will be managed with signed crossing points to secure access to and around the park is maintained during construction this will be secured through a commitment in the CoCP and secured through Requirement 5 of the DCO.*

*16.4.58 Once construction is completed, any paths impacted will be restored and the surface reseeded. Therefore, the temporary impact of the construction of the pipeline on Fordbridge Park is minimal and not material. No additional site-specific mitigation is required in addition to the project-wide measures to secure reinstatement of the land secured through the CoCP through DCO Requirement 5. There is no loss of open space from the operation of the pipeline once installed'.*

7.13 Paragraph 15.2.19 of the Applicant's Planning Statement confirms that:

*'There are two areas of narrow working in Section H. This will reduce the width of the open cut trench construction through Fordbridge Park (NW30) and through the grounds of St James' School (NW31). This approach involves the contractor(s) using less space than standard working width due to localised constraints, such as working in roads or sensitive areas.*

7.14 Cross-referencing to the Applicant's ES, the Planning Statement summarises the effects on Fordbridge Park as follows:

*'15.8.128 There will be significant effects for users of Fordbridge Park at Representative Viewpoint 61, because the loss of trees will change the character of the park and open up views towards the surrounding urban area and traffic on a localized section of the A308. This will degrade the overall character and scenic quality of the view. During construction, the potential magnitude of impact will be large, and the significance of effect will be major. Year 1 post construction, the loss*

*of trees, some of which are mature and distinctive specimen trees, will change the character of the park and continue to open up views towards traffic on a localised part of the A308. The potential magnitude of impact will be medium, and the significance of effect will be moderate.*

*15.8.129 Trees within Fordbridge Park also screen views towards traffic on the A308 from a localised area of housing within the immediately adjoining residential areas of Staines-upon-Thames and Ashford. Removal of trees within the western part of the park north and south of the A308 will allow filtered views of traffic on the A308 and will cause deterioration in the view and significant effects for residents south of the A308 on the northern periphery of Celia Crescent, Ashford, and north of the A308 on the southern periphery of Fern Walk and Marlborough Road, Ashford.*

*15.8.130 The ES Chapter 10 - Landscape and Visual, concludes that no construction and operational mitigation commitments have been identified’.*

- 7.15 Spelthorne BC has two concerns about the works proposed in Fordbridge Park. These relate to the effects of the proposals on residential amenity in Celia Crescent, and to the effects on trees and the general character and integrity of the open space.

### **Celia Crescent**

- 7.16 Celia Crescent is a narrow road with a highway width of only 4.5 metres. Residents and visitors parking on-street often mount the pavement so that other vehicles can pass by.
- 7.17 As noted, paragraph 16.4.57 of the Planning Statement (Application Document 7.1, ref. APP-133) explains that the existing access (identified as access 9AP) into Fordbridge Park on the most westerly arm of Celia Crescent will be used by light vehicles during construction.
- 7.18 Paragraph 3.4.1 of the applicant’s Transport Assessment (Application Document 7.4, ref. EN070005) is considered relevant. The paragraph states ‘A contractor has not yet been appointed and therefore the exact details for construction traffic and routes are not available. For the purposes of this report, a number of project assumptions were made so that the assessment could be completed. These assumptions are set out in Appendix 2. A summary is provided in this section.’
- 7.19 It is understood that construction works would primarily take place between 07:00 and 19:00 on weekdays and Saturdays with start-up and shut-down activities up to an hour either side of the core working hours. This will allow the possibility of vehicle movements through Celia Crescent for up to 18 hours a day.



- 7.20 Due to the limited width of Celia Crescent, there are likely to be more residents' vehicles parked on-street on Celia Crescent at the beginning and end of these working hours when residents are more likely to be at home, with the potential for conflicts with construction traffic movements. These problems would be exacerbated if construction workers park in Celia Crescent and if larger construction vehicles seek site access notwithstanding any routing guidance that Esso's contractor provides.
- 7.21 In summary there is a lack of detail about the effects of construction traffic on Celia Crescent. Residents have expressed their concern to the Council about this matter. During the current DCO examination it is requested that ExA seeks a written statement from Esso on how construction traffic for the works in Fordbridge Park will be managed in liaison with local residents. This statement should then form an annex to the Construction Traffic Management Plan provided for in Requirement 7 of the draft DCO (application document 3.2 rev. 2, Schedule 2 Part 1: Requirements).

### **Impacts on Fordbridge Park**

- 7.22 Table 13.10: *Community and recreation/amenity receptors* in Chapter 13: *People and communities* of the applicant's ES (application document 6.2, ref. APP-053) correctly identifies Fordbridge Park as a recreation and amenity receptor. Table 13.18: *Impacts on Community and Recreation/Amenity Receptors in Section H*, in the same ES chapter identifies that the impact upon the Fordbridge Park as follows:

*'Installation would pass directly through the receptor leaving less of the park available to the public. Although a small park, it has several memorial trees and may therefore be of community value'.*

- 7.23 The Council is pleased to confirm that Fordbridge Park is of high community value. As noted at the beginning of this chapter, it is the main area of public open space in the area between Staines by-pass and the River Thames and is much valued by its users.

- 7.24 According to paragraph 13.5.1 in ES Chapter 13:

*'Users of Fordbridge Park are expected to experience significant visual impacts because of the potential for tree loss within the park, opening up views of the surrounding urban area and traffic on the A308'.*

- 7.25 This assessment is confirmed in Chapter 10: *Landscape and Visual* of the applicant's ES (application document 6.2, ref. APP-050), paragraph 10.5.57 affirming that

*'There would be loss of notable trees within Fordbridge Park, Ashford, and consequent substantial changes to the parkland character'.*

- 7.26 The Council is profoundly concerned at the significant impact of the proposed pipeline upon Fordbridge Park in terms of the irreversible loss of trees and visual amenity and the current absence of mitigation. Paragraph 1.1.17 of the Code of Construction Practice (ES Appendix 16.1. application document 6.4, ref. APP-128) explains that the proposed pipeline will have *'an easement strip that extends 3m either side of the pipeline'*. This easement restriction means that any felled trees cannot be replaced within three metres either side of the proposed pipeline.
- 7.27 Fordbridge Park is already crossed by electricity transmission lines that require the maintenance of an open corridor. Ideally the pipeline would follow the same corridor but, subject to clarification from Esso, it is understood that National Grid is not agreeable to this. Instead a second and as yet undefined pipeline corridor would need to be cut across the park.
- 7.28 Fordbridge Park is a sensitive location. The Applicant correctly identifies that there is no TPO in Fordbridge Park but this is not uncommon for trees in public open spaces where the threat to their survival is low. The absence of a TPO carries no inference about the intrinsic value of the woodland in Fordbridge Park.
- 7.29 Spelthorne Council is concerned at both the lack of detail about pipeline routing and tree loss and the apparent lack of commitment to a mitigation package commensurate to the harm caused. During the current DCO examination it is requested that ExA seeks a written statement from Esso on the detailed pipeline route across Fordbridge Park, covering tree protection, reinstatement and aftercare. This statement should follow the approach described in the additional DCO Requirement on tree protection requested in Chapter 4 of this LIR and should form an annex to the Landscape and Ecological Management Plan provided for in Requirement 12 of the draft DCO (application document 3.2 rev. 2, Schedule 2 Part 1: Requirements).

## UNRESOLVED MATTERS AND PREFERRED MITIGATION

- 7.30 It is hoped that Esso will engage with Celia Crescent residents and the Council constructively to put in place the specific safeguards identified in this chapter. In the absence of such safeguards the Council considers that the level of information provided by the Applicant on the Fordbridge Park section of the proposed pipeline does not provide a sufficient basis for decision making as set out in parts 5.3: *Biodiversity and geological conservation*, 5.9: *Landscape and visual*, 5.11: *Noise and vibration*, 5.10 *Land use including open space, green infrastructure and green belt* and 5.13: *Traffic and transport* of NPS EN-1 and parts 2.20: *Gas and oil pipelines impacts: noise and vibration* and 2.21: *Gas and oil pipelines impacts:*

*Biodiversity, landscape and visual of NPS EN-4.*

7.31 In the absence of the additional information and proposed protective measures specified in this chapter, the Council considers that the Fordbridge Park section of the proposed pipeline conflicts with the following policies of the Spelthorne Core Strategy and Policies DPD:

- Strategic policy SP6: *Maintaining and improving the environment*
- Policy EN4: *Provision of open space and sport and recreation facilities*
- Policy EN7: *Tree protection*

## Eight ♦ Woodthorpe Road

### DCO PLAN REFERENCES

#### Works Plans

Application Document 2.2 rev. 3, September 2019 sheets 52, 120, 121, 122

#### General Arrangement Plans

Application Document 2.6 rev. 2, September 2019 sheets 52, 120, 121, 122

### DESCRIPTION

- 8.1 This chapter considers the effects of Esso's proposals on Woodthorpe Road. This section of the pipeline commences with a launch pit for the trenchless construction of the pipeline under the A30 Staines by-pass and the River Ash, in or beside an existing children's playground on the western side of Woodthorpe Road.
- 8.2 From the playground the pipeline would run in a northerly direction, parallel to Woodthorpe Road on a recreation ground, ultimately crossing the entrance road to HMP Bronzefield, a women's prison for adults and young offenders.
- 8.3 At this point, the pipeline turns north-eastwards and continues to follow Woodthorpe Road as far as Station Approach in central Ashford. This section of Woodthorpe Road is residential in character and built largely in the first half of the twentieth century with more recent additions. The proposed Order Limits include the full width of the public highway corridor.
- 8.4 Woodthorpe Road is a 'C' grade classified road. It is the secondary route between central Ashford and Staines-upon-Thames, well used by commuters and local bus services.
- 8.5 Esso proposes a large construction compound (ref. CO 5Q) on the northern side of Woodthorpe Road between the WR Sports Club to the west, which offers bowls and tennis, and Ashford Close, a residential cul-de-sac to the east.

### PLANNING AND ENVIRONMENTAL DESIGNATIONS

- 8.6 Land to the west of Woodthorpe Road as far as Ashford Close, including the recreation ground, the WR Sports Club and the scrubland proposed for a construction compound lies within the metropolitan green belt, to which saved local plan and NPPF policies described earlier in this LIR apply. Spelthorne BC does

not consider that this section of the proposed pipeline conflicts with green belt policy.

- 8.7 The Wickets, a residential neighbourhood on the southern side of Woodthorpe Road between Elizabeth Avenue and Gloucester Crescent is covered by policy EN4 of the adopted Spelthorne Core Strategy and Policies DPD 2009. The policy seeks to protect open land within identified residential estates. The Council does not consider that this policy is relevant to the consideration of the current DCO application.

## LOCAL ISSUES

### Children's playground

- 8.8 Table 13.10 *Community and recreation/amenity receptors in section H* in Chapter 13: *People and Communities* of the applicant's ES (application document 6.2, ref. APP-053) identifies the Woodthorpe Road play area as a recreation and amenity receptor. Table 13.18: *Impacts on community and recreation/amenity receptors in section H* in the same chapter confirms that the playground '*would be temporarily removed during construction, potentially affecting young children that use the receptor*'.
- 8.9 Paragraph 15.8.141 of the Planning Statement (Application Document 7.1, ref. APP-133) states in regard to the Woodthorpe Road play area that:
- 'The assessment of this play area indicates that it is a Local Equipped Area of Play that is well used by local families and, therefore, the applicant will provide a temporary facility during construction. Good practice measures such as, the reinstatement of the play area, are set out in the REAC, and will be secured through the DCO requirements such as the CoCP in Requirement 5.'*
- 8.10 Requirement 5: *Code of Construction Practice* in the draft DCO (application document 3.2 rev. 2, Schedule 2 Part 1: Requirements) states that: '*The authorised development must be undertaken in accordance with the code of construction practice, or with such changes to that document as agreed by the relevant planning authority.*'
- 8.11 ES Appendix 16.1: *Code of Construction Practice* (application document 6.4, ref. APP-128) does not provide any details of any a temporary replacement play facility or how the play area will be reinstated.
- 8.12 During the current DCO examination it is requested that ExA seeks a written statement from Esso on its proposals for the reinstatement of the Woodthorpe Road play area and any arrangements for temporary alternative play facilities. This

statement should form an annex to the Code of Construction Practice provided for in Requirement 5 of the draft DCO (application document 3.2 rev. 2, Schedule 2 Part 1: Requirements). With this safeguard the Council would be satisfied that the temporary loss of Woodthorpe Road play area has been successfully mitigated.

**Construction compound CO 5Q**

- 8.13 Compound No. 5Q is sited on a large rectangular parcel of land with access from Woodthorpe Road. Paragraph 3.1.19 in ES Chapter 3: *Projection Description* (application document 6.2 ref. APP-043) explains that compounds of this type ‘are small satellite areas close to the route that are used for storing equipment, hosting staff facilities, and laying down pieces of the pipeline’.
- 8.14 Paragraph 3.4.34 of the same ES chapter adds that ‘the construction compounds would be modest in size, for example 40m by 60m [i.e. 0.24 ha]. The exact size and shape would vary depending on site features and conditions.’ Proposed compound CO 5Q measures 90 metres by 120 metres, which gives an area 1.08 ha and is over four times the size of Esso’s indicative typical compound.
- 8.15 Table 3.5 of the applicant’s Transport Statement (application document 7.4, ref. APP-136) (set out below) shows the average daily traffic demand for a typical construction compound as follows.

**Table 3.5: Daily one-way traffic demand for an average construction compound**

Vehicle Class	One-way Demand
Car	0
Minibus	2
LGV	1
Other Goods Vehicle OGV1	1
Other Goods Vehicle OGV2	2
<b>Total</b>	<b>6</b>

- 8.16 Subject to clarification by the Applicant, it is reasonable to conclude that vehicle movements at the proposed Woodthorpe Road construction compound would be approximately four times this level. This level of traffic would have a negligible impact on Woodthorpe Road.
- 8.17 Of greater concern to the Council are the effects on residential amenity, particularly for residents living opposite compound CO 5Q and in Ashford Close immediately to the east.
- 8.18 Paragraph 3.4.33 of ES Chapter 3: *Project Description* states in regard to construction compounds that ‘Lighting would be of the lowest luminosity necessary for safe delivery of each task. It would be designed, positioned and

*directed to reduce the intrusion into adjacent properties and habitats (G45).'* Spelthorne BC supports this approach but has identified no explicit means of enforcing it in the DCO as drafted. It is requested that a new provision is added to the list of construction management plans identified under part (2)(d) Requirement 6: *Construction Environmental Management Plan* of the draft DCO (application document 3.2 rev. 2, Schedule 2 Part 1: Requirements) as follows: '(x). *Construction Lighting Strategy*'.

- 8.19 In this context the Council notes with satisfaction that part (2)(d) of draft Requirement 6: CEMP includes provisions for the management of dust, noise and vibration. Esso is encouraged to liaise closely with affected residents when setting up this and other construction compounds in Spelthorne.

### **HMP Bronzefield**

- 8.20 The Council notes that the proposed pipeline would cross the entrance road to HMP Bronzefield in an open-cut section. HMP Bronzefield is Europe's largest women's prison. The access road from Woodthorpe Road is the prison's sole means of vehicular access, used by prison staff and visitors and for prisoner transfers and deliveries.
- 8.21 Vehicular access needs to be maintained at all times for these traffic movements and for any emergency responses. It is recommended that ExA invites evidence from Esso that HM Prison and Probation Service is content with arrangements to maintain open access to the prison during pipeline construction across the access road.

### **Road closures and restrictions**

- 8.22 Table 3.1: *Diversions and road closures exceeding four weeks* in the Applicant's Transport Statement (Application Document 7.4, ref. APP-136) states that the estimated duration of pipeline construction works on Woodthorpe Road would be nine weeks. The effects of these temporary road restrictions on local traffic and transport are unclear and it is requested that ExA seeks the guidance of the Local Highway Authority on this point.

## **UNRESOLVED MATTERS AND PREFERRED MITIGATION**

- 8.23 Provided that the safeguarding provisions identified in this chapter and in Chapter 4 of this LIR are embodied in the DCO as made, the Council does not object to the works proposed in Woodthorpe Road and foresees no significant conflicts with NPS, NPPF or local plan policy.

## Nine ♦ Central Ashford and Clarendon Primary School

### DCO PLAN REFERENCES

#### Works Plans

Application Document 2.2 rev. 3, September 2019 sheets 52 and 122

#### General Arrangement Plans

Application Document 2.6 rev. 2, September 2019 sheet 52 and 122

### DESCRIPTION

- 9.1 This chapter considers the effects of Esso's proposals on central Ashford, including local shops and businesses, the access to Ashford railway station and Clarendon primary school in Knapp Road.
- 9.2 The relevant section of the proposed pipeline approaches central Ashford from the south-west along Woodthorpe Road in an open cut trench. The pipeline route then turns north into Station Approach and then east into Station Road. It then passes under the B378 Church Road in a trenchless section, emerging in the playing field of Clarendon primary school. From the primary school the pipeline would then head north under the railway in another trenchless section into the grounds of St James senior boys' school, considered in the next chapter of this LIR.

### PLANNING AND ENVIRONMENTAL DESIGNATIONS

- 9.3 Central Ashford is identified as a shopping areas to which policy TC3 of the adopted Spelthorne Core Strategy and Policies Development Plan Document (adopted December 2009) applies.

#### ***Policy TC3: Development in Ashford, Shepperton and Sunbury Cross Centres***

*Within the defined Employment Areas of Ashford, Shepperton and Sunbury Cross the Council will encourage mixed use development combining offices with residential and other uses that contribute positively to the centre, where development can take place in an acceptable manner and where the existing amount of employment floorspace is retained.*

*Within the defined shopping areas of Ashford, Shepperton and Sunbury Cross as*



*shown on the proposals map the loss of A1 retail units will be permitted where:*

- a) the proposed use is within use class A2, A3, A4 or A5 or for a launderette,*
- b) no more than two out of nine consecutive units are in non retail use as a result of the proposal,*
- c) the proposal would not harm the predominantly retail character of the centre, either individually or cumulatively with other non retail developments,*
- d) the proposal would not result in the loss of a retail unit that is prominent in the centre either by reason of its size or position.*

*Exceptionally a non-retail use may be accepted where it is demonstrated that it will contribute to the long term vitality and viability of the centre.*

*The Council will continue to work with its partners to ensure the effective management of the centres and will look for opportunities for further improvements to their environment.*

- 9.4 Explanatory paragraphs 8.18 and 8.19 of the Core Strategy and Policies DPD add that:

*8.18 Policy TC3 relates to development in the employment and retail areas of the three centres. It seeks to maintain their current role and give support to proposals that enhance their vitality and viability. The policy needs to be read in conjunction with Strategic Policy SP3 and Policy EM1 which seek to maintain the current level of employment floorspace within the defined Employment Areas. Subject to this, Policy TC3 also encourages in principle a mix of uses which may contribute positively to the centres. The boundaries of employment and retail areas are shown on the Proposals Map.*

*8.19 Ashford is the second largest shopping centre in the Borough and is the nearest centre for a substantial residential area. While the Retail Study shows it is well-used by local people, it is primarily a local centre with no scope for significant expansion although some sites may have limited scope for intensification. Redevelopment that improves the centre will be supported. Policy TC3 seeks to maintain a balance between retail and non retail uses in the shopping frontage, in which the majority of units remain in retail use.*

- 9.5 As indicated in Core Strategy and Policies DPD paragraph 8.18, much of central Ashford including Station Approach and Station Road is also subject to Core Strategy and Policies DPD employment policy EM1, which as stated which seek to maintain the current level of employment floorspace within defined Employment

Areas.

## LOCAL IMPACTS

9.6 The Council predicts the following local impacts along this section of the proposed pipeline.

### **i). Effects on the retail centre during construction**

9.7 In common with many comparable centres, Ashford has struggled to retain a full and varied retail offering in recent years. The shops on Woodthorpe Road and Station Approach are at the extreme north-western end of the shopping centre, whereas the main retail function has consolidated along Church Road. Retail businesses in the Station Approach area benefit from local custom and the adjacent railway station brings passing trade from commuters.

9.8 There is a risk that pipeline construction will worsen trading conditions. Shops might be partly hidden by construction hoarding and severed from normal pedestrian flows. On-street parking in Station Approach will temporarily be lost, as paragraph 15.3.10 of the applicant's Planning Statement (Application Document 7.1 rev.1, May 2019) explains, again reducing the potential for passing custom.

### **ii). Effects on use of the railway station**

9.9 Station Approach provides the sole means of vehicular access to Ashford station, a busy commuter station on the railway between Reading and London Waterloo. The Council notes with satisfaction that, in the words of Esso's Planning Statement,

*' . . . The refined [pipeline] route has reduced the potential disruption to those accessing the railway station, as the route preserves the existing one-way traffic flow along Station Approach and Station Road and retains access to the railway station car park. In addition, by installing along Station Approach will mean access to the station could be kept open by changing the pavement layout and temporarily suspending the parking bays . . . '*

9.10 The Council will seek a guarantee that the works most likely to cause inconvenience for commuters and other rail passengers on Station Approach and Station Road will be scheduled so as to minimise disruption.

### **iii). Crossing of the B378 Church Road**

9.11 The Council supports the use of trenchless construction methods for crossing Church Road. The road is a primary route between Ashford, the A30 London Road and Stanwell and needs to be open for unrestricted traffic at all times.

#### **iv). Clarendon primary school**

9.12 Once the pipeline has passed under Church Road it emerges in a playing field immediately behind Clarendon primary school. From here the pipeline would head north in another trenchless section under the Reading to London Waterloo railway towards the grounds of St James senior boys' school.

9.13 Chapter 13: *People and Communities* of the applicant's Environmental Statement (application document 6.2, revision 1.0) identifies Clarendon primary school as a receptor. According to paragraph 13.5.51 of the ES:

*'... Clarendon Primary School is also expected to experience significant adverse impacts on visual amenity due to loss of vegetation. However, the project would consult with educational facilities within the Order Limits to co-ordinate where practicable the construction timetable to reduce impacts (G173) ...'*

9.14 Table 13.18 of ES chapter 13 identifies impacts on community receptors and states that *'Installation would remove the entire playing field for the school during construction'*.

9.15 Table 16.5 of the applicant's Planning Statement provides a schedule of affected schools within the Order Limits for the pipeline. In respect of Clarendon School the table affirms that *'The Order Limits include the playing field and school access to facilitate the construction of two trenchless crossings'*. Under the heading Mitigation the table further advises that *'The preference for the timing of the works will be to construct during the summer holidays. This will be secured through the CoCP'*. Paragraph 4.8.1 of the Planning Statement states that works at trenchless crossings will take 4-5 weeks per 100 metres and two weeks for every additional 100 metres.

9.16 The CoCP is a Code of Construction Practice, to be secured through Requirement 5 of the draft DCO. The draft CoCP (ES appendix 16.1) is general in application and includes no site-specific provisions for the Clarendon primary school site. Pre-application consultation pamphlets circulated in Spelthorne by Esso advised that trenchless pipeline construction takes longer than open-cut installation. At Clarendon primary school, two trenchless pipelines would be launched or received in the playing field.

9.17 This appears to be the extent of the consideration given thus far to Clarendon primary school, and is not considered to be an adequate response to the advice of NPS EN-4 paragraph 2.19.8, that *'When designing the route of new pipelines applicants should research relevant constraints including proximity of existing and planned ... schools ...'*

- 9.18 For the following reasons the Council is profoundly concerned at the potential for disruption to Clarendon primary school.
- i). The Council does not believe that it will be possible to set up the construction site, undertake all of the pipeline works and restore the playing field to a useable condition within the timeframe of a school summer holiday. In any event, schools do not close for six weeks. Staff will be often be present during the summer holiday to prepare classrooms and teaching materials for the new term, host meetings, handle administration for new pupils, etc. Schools remain an active workplace.
  - ii). The Order Limit runs tight to the rear wall of the school. Even with acoustic hoardings it would not be possible to undertake pipeline construction work when the school is open in term-time without the potential for noise, dust and general distraction.
  - iii). The construction access to the school playing field passes through a narrow gap between the main school building and the school boundary. Even with the use of banksmen, it will not be possible to manoeuvre construction vehicles in and out of the school site without creating noise and distraction inside the school and a safety risk. It is also unclear how much school staff parking at the front of the school would be displaced by the construction access and what the available alternatives are.
- 9.19 For all these reasons the Council would be grateful if ExA requested an explanation of how the proposed construction works at Clarendon primary school would be managed, and over what timescale. There is currently a distinct paucity of detail in the DCO application about this highly sensitive site.

## UNRESOLVED MATTERS AND PREFERRED MITIGATION

- 9.20 In the event that a DCO is made the Council will work with Esso's contractors during the approvals process for the CEMP (DCO Requirement 6) and the CTMP (DCO Requirement 7) to ensure that the interests of traders in central Ashford and users of Ashford Station are suitably protected during construction of the pipeline.
- 9.21 Unless effective bespoke mitigation can be found for Clarendon primary school, SBC considers that this element of the pipeline project conflicts with the following relevant policies:

### *EN-1 Overarching National Policy Statement for Energy*

- Section 4.14: Common law nuisance and statutory nuisance

- Section 5.10: Land use
- Section 5.7: Noise and vibration
- Section 5.12: Socio-economics
- Section 5.13: Traffic and transport

*EN-4 National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines*

- Section 2.20: Gas and oil pipelines impacts: noise and vibration
- Paragraphs 2.19.7 – 2.19.8 Factors influencing site selection by applicants

*Spelthorne Core Strategy and Policies Development Plan Document (adopted December 2009)*

- Strategic Policy SP5: Meeting Community Needs
- Policy EN11: Development and noise

## Ten ◆ Ashford railway to the Oil Terminal

### DCO PLAN REFERENCES

#### Works Plans

Application Document 2.2 rev. 3, September 2019 sheets 122 and 123

#### General Arrangement Plans

Application Document 2.6 rev. 2, September 2019 sheet 122 and 123

### DESCRIPTION

- 10.1 This chapter considers the effects of Esso's proposals on the area to the north of the railway in central Ashford. This section of the pipeline is c. 1.5 km in length. It emerges from a trenchless section under the Reading to Waterloo railway into the grounds of St James senior boys' school. The pipeline route skirts the south-eastern edge of the school's playing field alongside a triangular water body at the western extremity of Bedfont Lakes Country Park, formed from past mineral workings.
- 10.2 Passing through a copse of mature deciduous trees, the pipeline continues along the eastern edge of St James senior boys' school's playing fields and eastern edge of a further area of playing fields to the north, belonging to Thomas Knyvett College, a comprehensive academy school managed by the Howard Schools Trust, based in Effingham, Surrey. The route then crosses a field of grazed scrub to the west of Edward Way, a suburban residential road, before crossing the dualled A30 London Road in a trenchless section.
- 10.3 The final section of the pipeline runs northward along the western side of Short Lane, passing through an arable field and across the car park and entrance of Ashford Sports Club, which caters for several sports including hockey and cricket and has a well-used clubhouse. The pipeline route continues northward along the eastern side of the club's cricket field before crossing Short Lane in an open-cut section and crossing a small field, edged with trees, before entering Esso's oil terminal site.

### PLANNING AND ENVIRONMENTAL DESIGNATIONS

- 10.4 All of this final section of the proposed pipeline is in the metropolitan green belt. The Council considers that this section of the pipeline does not conflict with the green belt policy objectives.

10.5 The Bedfont Lakes Country Park is a Site of Nature Conservation Importance (SNCI), afforded protection by saved policies RU11 and RU14 of the Spelthorne Borough Local Plan 2001. The Council is content that the pipeline would avoid these protected habitats and that, as such, there would be no conflict with these policies.

10.6 As identified in the applicant's General Arrangement sheet 122 (Reg 5(2)(0)), the deciduous copse immediately to the north-east of the St James senior boys' school buildings is the subject of a Tree Preservation Order (TPO).

10.7 The northern half of the field of scrubland to the west of Edward Way and south of the A30 Staines Road is subject to Allocation A11: *Land to the West of Edward Way, Ashford* (P/019/O) in the Spelthorne Local Development Framework Allocations Development Plan Document, adopted in December 2009. According to para. 6.95 of the Allocations DPD the land is allocated for:

*'Public open space with possible children's play area. The scheme will provide open space for residential areas within north Ashford with inadequate provision at present'.*

10.8 In respect of the Spelthorne Core Strategy and Policies Development Plan Document (December 2009), paragraph 6.101 of the Allocations DPD confirms that:

*'The allocation supports implementation of Strategic Policy SP5 on meeting community needs, Policy CO1(a) in the provision of new community facilities and Policy EN4 in the provision of open space'.*

10.9 The play area has not been implemented and the allocation will be reviewed during the preparation of SBC's replacement Local Plan.

10.10 To the north of the Ashford Sport's Club entrance and car park on Short Lane the proposed pipeline passes through an 'area of high archaeological potential' afforded protection by saved policy BE25 of the Spelthorne Borough Local Plan 2001. This designation relates to crop marks and a ring ditch (SMR Ref. 0617) in and beyond the outfield of what is nowadays a levelled cricket pitch. Saved policy BE25 states:

**POLICY BE25**

*In considering proposals for development within areas of high archaeological potential, the Borough Council will:*

*(a) require an initial assessment of the archaeological value of the site to be submitted as part of any planning application;*

*(b) expect the applicant to arrange an archaeological field evaluation to be carried out prior to the determination of the planning application, where, as a result of the initial assessment, important archaeological remains are considered to exist;*

*(c) have a preference for preservation in situ, and in such circumstances will impose conditions or seek a legal agreement, where appropriate, to ensure that damage to the remains is minimal or will be avoided;*

*(d) require by planning condition or seek a legal agreement to secure a full archaeological investigation and recording of the site and subsequent publication of results in accordance with a scheme of work to be agreed in writing with the Council prior to the commencement of the proposed development, where important archaeological remains are known or considered likely to exist but their preservation in situ is not justified.*

## LOCAL IMPACTS

10.11 The Council predicts the following local impacts along this section of the proposed pipeline.

**i). Green belt**

10.12 Because the pipeline is underground the Council is, as noted, satisfied that there would be no conflict with green belt policy as set out in saved policy GB1 of the Spelthorne Borough Local Plan 2001 or section 13 of the NPPF.

**ii). Playing fields of St James senior boys' school and Thomas Knyvett College and the allocated children's play area west of Edward Way**

10.13 Subject to the views of the two schools the Council is satisfied that the pipeline would follow a peripheral route around these playing fields with most of the land remaining available for sports use during construction and with no loss of playing fields once the land has been restored. The Council notes also that the pipeline would largely be routed away from school buildings, minimising the risk of disturbance to educational activities.

10.14 SBC would be grateful if ExA could seek clarification from Esso on whether the normal regime of grounds maintenance for playing fields on land above the pipeline would be constrained by the presence of the pipeline – for example by restrictions on the use of groundskeeping vehicles and machinery. In addition to local schools, this consideration is relevant also to Ashford Sports Club on Short Lane.



10.15 In the absence of detail from the applicant the Council is concerned about the potential adverse effects of pipeline construction on the deciduous copse immediately to the north-east of the St James senior boys' school buildings (General Arrangement sheet 122 (Reg 5(2)(0)), which is the subject of a Tree Preservation Order (TPO). Aside from the intrinsic value of its trees, the copse forms a part of a larger tree screen that helps to maintain the secluded rural character of Bedfont Lakes Country Park in an otherwise more urban area.

**iii). Crossing of the A30 London Road**

10.16 The Council supports the use of trenchless construction methods for crossing Staines Road. The road is the primary route from the northern part of Spelthorne towards Heathrow Airport and central London and needs to remain open at all times.

**iv). Short Lane**

10.17 The Order Limit appears sufficiently wide in this section of the pipeline to enable Esso to minimise tree loss.

10.18 In respect of the archaeological potential of Ashford Sport's Club's cricket field, the Council is content that draft DCO Requirement 11: *Archaeology* would provide an appropriate level of protection.

**UNRESOLVED MATTERS AND PREFERRED MITIGATION**

10.19 Subject to the satisfactory resolution of important concerns raised in this chapter in respect of tree protection, the children's play area allocation on London Road and the ability of local schools and Ashford Sports Club to maintain and enjoy playing fields over the pipeline, Spelthorne considers that the section of the proposed pipeline between Ashford railway and Esso's Oil Terminal is acceptable in respect of the local impacts.

## Eleven ♦ Summary and conclusions

### LOCAL IMPACTS

- 11.1 This LIR has identified the likely impacts of Esso's proposed aviation fuel pipeline along the length of its route across Spelthorne Borough in Surrey.
- 11.2 Chapters 1 and 2 of the LIR introduce Spelthorne and identify its salient characteristics. Chapter 3 of this LIR considers the national need for the project and identifies what the Council considers to be the relevant national and local policy against which the DCO application should be considered.
- 11.3 SBC does not object in principle to the proposed pipeline. The Council's objective is to ensure that adequate protection is provided for the communities and physical and environmental assets affected by the proposals. In respect of the national need for the proposals, the Council considers that it would assist the DCO examination if the relationship between the proposed pipeline and the expansion of London Heathrow Airport was clarified.
- 11.4 Based upon the evidence presented in this LIR, the Council is concerned that inadequate attention has been given to the specific impacts of pipeline construction in individual locations. This is a recurrent theme in chapters 4-10 of this LIR.
- 11.5 Chapter 4 of this LIR identifies matters of generic concern in respect of the local impacts of the pipeline. These concerns are shared with neighbouring local authority areas in north-west Surrey affected by the proposed pipeline - namely Surrey Heath and Runnymede – and are explained under the general headings of tree protection, ecology and biodiversity, transport and residential amenity. Chapter 4 identifies potential remedies that the DCO could usefully afford for the communities and environments affected.
- 11.6 Chapters 5-10 of the LIR demonstrate how these generic concerns arise in specific locations in Spelthorne. Subject to the provision of requested safeguards in the DCO and associated documents including the Construction Environmental Management Plan and the Code of Construction Practice as finalised, the Council considers that sections of the proposed pipeline between the River Thames and the Queen Mary Reservoir intake channel (LIR chapter 5), on Woodthorpe Road (LIR chapter 8) and between the railway at Ashford and Esso's oil terminal south of Heathrow Airport (LIR chapter 10), can be rendered acceptable in terms of their local impacts.

- 11.7 For the reasons given in the respective chapters, the Council is concerned at the adverse impacts of the proposed pipeline on Ashford Road (LIR chapter 6), in Fordbridge Park and Celia Crescent (LIR chapter 7) and in central Ashford (LIR chapter 9). If planning applications were submitted for these sections of the pipeline in the form currently presented by the Applicant, Spelthorne BC would be minded to refuse planning permission in view of considerations including tree loss, highway congestion, the adverse effects on local amenity and the disruption to existing land uses including a school.
- 11.8 Planning policy objections to these sections of the pipeline are highlighted in the respective chapters of the LIR. Where possible the Council has also identified potential remedies and safeguards for consideration during the DCO examination.

### **NEXT STEPS**

- 11.9 Having identified the local impacts, Spelthorne BC will engage in further dialogue with Esso in pursuit of reinforced mitigation to address the adverse local impacts identified. Points of agreement will be set out in a Statement of Common Ground between the parties.
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Site	Planning Application Number	Planning Application Type	Site Address	Development Type	Status of Planning Application	Site Area (Ha)	Scheme total units	Description of Development	Impacts
Shepperton Studios	18/01212	OUT	Studio Road.Studio Road. Shepperton. TW17 0QD	Commercial/Industrial	Granted	60.09	N/A	Redevelopment and expansion of Shepperton Studios, comprising the partial demolition and replacement of existing accommodation; construction of new sound stages, workshops, office accommodation, entrance structures and reception, security offices and backlots; creation of new vehicular and pedestrian access from Shepperton Road and the relocation of existing access off Studios Road; with associated car parking; landscaping and ecological enhancements.	Pipeline route runs through the proposed expansion at Shepperton Studios. Length of time involved in construction may delay the expansion.
The Matthew Arnold School	18/01084	FUL	Kingston Road. Staines-upon-Thames. TW18 1PE	Education	Granted	9.2	N/A	Erection of a new school building, relocation of 2 floodlit sports pitches, demolition of the existing school building and associated landscaping.	Pipeline route runs through the SE and NE part of the school. Access to the school being restricted, parking problems due to closure/ partial closure of local roads, etc should be considered.
St James Senior Boys School	19/00428	FUL	St James School 10 Church Road. Ashford. TW15 3DZ	Education	Granted	0.89	N/A	Erection of new sports hall facility to include 4 no. badminton courts, fitness suite, 2 no. changing rooms, storage, first aid room and reception area. Demolition of existing multi use games area (MUGA) and provision of an outdoor 5-a side pitch and car park.	School playing field in the pipeline buffer zone.
Land at r/o Imtech House	16/00196	FUL	33 - 35 Woodthorpe Road And Part Of 37 Woodthorpe Road	Residential	Granted	0.29	26	Demolition of existing commercial building and erection of a part 3-storey, part 4-storey residential development comprising 26 flats (7 no. 1-bed, 17 no. 2-bed and 2 no. 3-bed) together with associated parking and amenity space. Reconfiguration of existing office car park and installation of car stackers.	Site in pipeline buffer zone - restricted access, parking problems due to closure/ partial closure of local roads, effects of air and noise pollution during construction, etc
Imtech House	18/01623	RVC - Removal or Variation of Condition	33-35 Woodthorpe Road. Ashford. TW15 2BF	Residential	Granted	0.11	50	Variation of Condition 2 of Planning Application 18/01223/FUL (for the installation of AOVs in western side elevation, replacement of 7 4th floor windows with doors to form accessible terrace, replacement of windows in rear south elevation - relating to application 17/00358/PDO) to enable the reorientation of the AOVs from the western elevation to the eastern elevation of the building.	Site in pipeline buffer zone - restricted access, parking problems due to closure/ partial closure of local roads, effects of air and noise pollution during construction, etc
Headline House	17/00782	FUL	Stanwell Road. Ashford. TW15 3QH	Residential	Granted	0.95	10		Site in pipeline buffer zone - restricted access, parking problems due to closure/ partial closure of local roads, effects of air and noise pollution during construction, etc
Shepperton Quarry	18/00308	Surrey County Council (SCC) Application	Littleton Lane. Shepperton. Surrey	Industrial	OSA - SBC Object SCC Approval			The use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, importation of waste material for recycling and retention of screen bunding and two storey site office for a temporary period until 30 September 2019 (retrospective).	Site in pipeline buffer zone - restricted access, parking problems due to closure/ partial closure of local roads, effects of air and noise pollution during construction, etc
White House site and Council Depot	19/00815	FUL	Kingston Road. Ashford.TW15 3SE	Residential	Granted	0.16	HMO (27 Beds and 4 flats)	Erection of 27 bed and 4 flat homeless hostel (sui generis) with associated parking, servicing and landscaping	Site in pipeline buffer zone - Consideration must be given to the impact on mineral working activities and restoration timeline/plans
Homers Farm	13/00141	SCA1 - SCC Amended Application 1 (ref 13/00141/SCC)	London Road, West Bedfont, Ashford	Industrial (Minerals working site - Sand and Gravel extraction)	No Objections	10.5	N/A	Proposed extraction of sand and gravel from land at Homers Farm together with associated wheelwash, site office, cabin for generator and car parking, the provision of a new access from Short Lane, restoration involving the importation of inert restoration materials to agriculture, on a site of 10.5 hectares (amended application).	Site in pipeline buffer zone - Consideration must be given to the impact on mineral working activities and restoration timeline/plans
Land west of Edward Way (ALLOCATION Ref AS2/005)									Site affected but allocated in our emerging local plan
Hitchcock and King, Stanwell Road, Ashford (Builder's Merchant) (ALLOCATION Ref AT1/001)									Site affected but allocated in our emerging local plan
Land east of Ashford Sports Club, Woodthorpe Road (ALLOCATION Ref AT1/002)									Site affected but allocated in our emerging local plan