



Brendon Walsh, Director
Regeneration, Economic Development &
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Development Management
London Borough of Hounslow, The Civic Centre
Lampton Road, Hounslow, TW3 4DN

Richard Price

M4Junction3to12@pins.gsi.gov.uk

Your contact: is: Matthew Rees
Direct Line: 020 8583 6623

Email: matthew.rees@hounslow.gov.uk
Our ref: 01256/A/P59
Your ref: TR010019

Date: 7 October 2015

Dear Mr Price,

PLANNING ACT 2008 – Application by Highways England for an Order Granting Development Consent for the proposed M4 Junctions 3 to 12 Smart Motorway

I write pursuant to the publication of the rule 8 letter relating to the proposed works to the M4 involving the proposed Smart Motorway between junctions 3 to 12. Please accept the following as the London Borough of Hounslow's Local Impact Report (LIR)

Site context, constraints and proposal

The works proposed within the boundary of the London Borough of Hounslow are restricted to junction 3, located within Heston West ward adjacent to the north western boundary of the borough. The scheme involves the installation of an emergency refuge area, a new post mounted sign and single cantilever gantry sign.

The following planning restraints are associated with the site:

- It is in an area of groundwater vulnerability
- It is within an Archaeological Priority Area
- It is within land designated as Metropolitan Green Belt
- The Cranford Village Conservation Area adjoins the site to its south
- The Grade II Listed Buildings The Old Rectory and Cranford Park Bridge are located within the locality

The land immediately around the junction is primarily open space with no dwellings in the area. However there is a travellers' site located within 150 metres of the junction to its southeast and a nursery approximately 90 metres from its south east side.

Planning History

There is a long planning history for works to and around junction 3, though none is considered relevant to the current proposal and there are no approved schemes likely to

impact on any works proposed. A comprehensive list of recent planning history may be found at www.hounslow.gov.uk

Policy Framework

The determination of planning applications in the borough must be made in accordance with the development plan unless material considerations indicate otherwise. Local finance considerations must also be assessed.

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) came into force on 27 March 2012, and from April 2014 National Planning Practice Guidance (NPPG) in the form of an online guidance resource to support the NPPF came into effect. The Local Planning Authority (LPA) considers that, where pertinent, the NPPF and NPPG are material considerations and as such, will be taken into account in decision-making as appropriate.

The Development Plan

The Development Plan for the Borough comprises the Council's Local Plan (adopted by the Council on 15 September 2015), the West London Waste Plan and the London Plan Consolidated with Alterations since 2011.

The Local Plan documents can be viewed on the Planning Policy pages of the Hounslow website.

Issues arising

The Council considers the following issues need to be considered as part of the proposed works:

- Air Quality
- Noise
- Impact on the highways network
- Impact on the visual amenity of the area
- Impact on the amenities of local residents
- Environmental Impact
- Flooding and Water Management
- Socio Economic and Community Matters

Air Quality

Hounslow Borough Council has a number of concerns relating to how Highways England have undertaken air quality assessment in the borough. The following issues have arisen:

- The London Borough of Hounslow works to London Councils Air Quality and Planning Guidance (2007), but Highways England have used guidance from the Institute of Air Quality Management. It is the Councils view that the impact on air quality is not 'imperceptible', but lies in category APEC-B, suggesting 'mitigation measures must be considered'. At this stage, no mitigation measures appear to have been proposed by Highways England.

- Receptor X617 and other locations in the borough have been declared Air Quality Management Areas and therefore cannot afford further breaches in Air Quality Regulations.
- Highways England's Air Quality Report states that a number of receptors in the borough will exhibit NO₂ concentrations well above the limit value (40ug/m³). Additional traffic spillage onto local roads that may result from the scheme risks increased exposure. Therefore, NO₂ concentration levels should be monitored post implementation, in order to determine true extent of increase in emissions on Hounslow roads along the M4/A4 corridor.
- Highways England's modelled NO_x concentrations that are heavily under predicted when compared with the monitored NO_x concentrations, and this can only be so if modelling parameters entered into modelling software so dictate. Whilst it's possible to derive corrections from monitored/modelled values inaccuracies in the latter are quite apparent. There appear to be assumptions, such as proportion of Euro VI cars, proportion of HGVs etc, which impact on the outcome of modelling exercise, however, none seem to be detailed in any of the appendices but will be needed if Hounslow Council are to commission our own modelling, in the absence of any justifiable mitigation. Such information should be shared as Hounslow Council may need to commission further investigation through independent modelling work capable of determining magnitude and extent of real geographic impacts in areas affected.
- The scheme is not 'air quality neutral and therefore not compliant with the London Plan. Both on and off site mitigation measures should be proposed to demonstrate the proposal would be 'air quality neutral'.

On this basis the scheme is considered to have an adverse impact on air quality in the borough, without mitigation measures proposed to offset harm caused.

Noise

There may not appear to be any significant issues arising from impact of noise on residents within the borough, although residential properties that already suffer from significant and relatively high level of road traffic noise, will only exacerbate the existing adverse impact, by virtue of additional noise source moving even nearer.

Impact on the Highways Network

Though the Council acknowledge the wide ranging impact on the highways network along the M4 corridor we do not consider there to be any specific issues relevant to the borough.

Impact on the Visual Amenity of the Area

Due to the limited scale of works proposed there do not appear to be any issues arising from potential impact on the character and appearance of the borough.

Impact on the Amenities of Local Residents

Aside from the concerns outlined above the Council is of the view that there will not be any adverse impact to the amenities of residents in the borough.

Environmental Impact

Due to their modest nature the proposed works would not raise significant concerns in terms of Environmental Impact specific to the borough aside from those raised above. However the Council would draw your attention to the attached letter received from Friends of the Earth which raises general concerns with the scheme and would highlight that such works would not comply with policy EC2 of Hounslow's Local Plan, which seeks to secure a more sustainable local transport network.

Flooding and Water Management

The proposed scheme does not appear to raise any issues in terms of flooding and water management in the borough.

Yours Sincerely,

A solid black rectangular box redacting the signature of Aled Richards.

Aled Richards

Director of Environment, Regulatory Services and Community Services

FAO Head of Planning
London Borough of Hounslow
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TW3 4DN

By email to planning@hounslow.gov.uk and to Mark.Frost@hounslow.gov.uk and by post

17 September 2015

Dear Head of Planning,
Cc Director of Public Health, and Mark Frost, Head of Traffic & Transport

Re: The Council's Local Impact Report on the Application by Highways England for an Order Granting Development Consent for the proposed M4 Junctions 3 to 12 Smart Motorway¹

On behalf of Friends of the Earth and Campaign for Better Transport, we wish to raise a number of matters that should be assessed as part of the Local Impact Report in relation to the above application (ref TR010019).

In summary we are of the view that a number of negative impacts arise with regard to:

- Air pollution (and the related health impacts)
- Congestion, increased transport, impact on transport reduction, and safety of other road users (local transport impact)
- Increased greenhouse gas emissions
- Noise (impact on amenity and health)
- The impact on existing and emerging local plans, and the impact of the acquisition of common land and allotments on local provision and access
- Impact on nationally designated and locally protected areas
- Socio-economic impacts

Firstly with regard to air pollution, you will be aware that the EU Directive limits are absolute and must be met irrespective of cost. Air pollution must not be worsened in three ways:

- a breach must not be caused
- air already failing legal limits cannot be worsened or compliance delayed

¹ Major infrastructure application being considered by the Planning Inspectorate:
<http://infrastructure.planninginspectorate.gov.uk/projects/South%20East/M4-Junctions-3-to-12-Smart-Motorway/>

- the non-deterioration principle: “maintain the levels of those pollutants below the limit values and shall endeavour to preserve the best ambient air quality, compatible with sustainable development”. See letter of clarification to Clean Air in London²

Given the recent Supreme Court ruling requiring new plans to be produced by the UK Government by the end of the year, so that EU legal limits are met in the shortest time possible³, in our view the local impact report must consider how this scheme will affect the ability of areas within your authority to meet limits as required. In relevant areas, in order to meet limits in the shortest time possible, air pollution should not be added to at all from a scheme. Within the context that the impact on local air quality must be considered, you may be aware that baseline dates for complying with EU limits have changed⁴.

Recent figures for premature deaths due to NO₂ pollution now add to those for particulate pollution, meaning a greater impact on the health of citizens in your area.⁵ We are of the view that the impacts on communities are such that representative local authorities must consider this issue fully in their Local Impact Report, and ensure that the Director of Public Health is also consulted.

Secondly, with regard to transport impacts, the local impact report must contain an assessment of whether the scheme will increase flows on roads in the surrounding area to the detriment of road safety and congestion, and whether this will then have an impact on schemes to enhance walking and cycling and public transport.

Thirdly, with regard to greenhouse gas emissions increases, given the local authority's duty under Section 19(1A) of the Planning and Compulsory Purchase Act 2004 to ensure that: “Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change”, the relevant policies should be referenced in the Local Impact Report. The National Planning Policy Framework links land-use planning to the Climate Change Act 2008, and therefore the impact of increased transport emissions should form part of the impact report.

Fourthly, we are of the view that increased noise and lighting may also adversely affect the health and amenity of those in proximity to the M4 and its connecting roads, given the number of junctions affected by the changes designed to increase traffic use. It is imperative that this is considered carefully in the Local Impact Report as an important local planning issue under paragraph 123 of the National Planning Policy Framework.

Fifthly, given that the local plan for the local authorities where this application is located has no direct link to the National Policy Statement on National Networks, it is vital that these plan policies are properly reflected and drawn into the examination through the Local

² http://cleanair.london/legal/major-victory-for-clientearth-enforcing-nitrogen-dioxide-laws/attachment/cal-304-letter-of-clarification-from-the-commission-190214_redacted/#sthash.VA2bB7hw.dpuf

³ <https://www.supremecourt.uk/cases/uksc-2012-0179.html>

⁴ Defra has recently released its draft plans for consultation: <https://consult.defra.gov.uk/airquality/draft-aq-plans>

⁵ premature deaths from NO₂ for the UK were included with the government's draft Air Quality Plans, and for London were set out by the Mayor: <http://www.london.gov.uk/media/mayor-press-releases/2015/07/london-becomes-first-world-city-to-quantify-the-health-effects>

Impact Report. We are concerned about the possible loss of land which is currently in allotment use and how this would be replaced; and the replacement of common land, and any other open public space. Any loss of publicly accessible land is of high public interest, and provision must be ensured through local plans and appropriate funding and commitments.

Sixthly the local impact report should fully detail the impact on nationally and locally designated areas of protection. We are particularly concerned that the local impact report should outline the impact of the scheme on the character and appearance of the landscape, in particular the North Wessex Area of Outstanding Natural Beauty and the visual impact of associated infrastructure along the length of the proposed project. In addition, we would wish to see the local authority's view on the extent to which the scheme would cause disruption or permanent harm to habitats and plants, invertebrate species, amphibians, reptiles, birds, bats, water voles, otters, and badgers.

Finally, we would wish to see a full analysis of the socio-economic impacts of the increased traffic (noise and congestion), on local businesses, access to essential services, and general amenity of areas on the linking roads that will be affected.

Yours sincerely,

Naomi Luhde-Thompson

Friends of the Earth, Planning Advisor

Sian Berry

Campaign for Better Transport, Roads and Sustainable Transport Campaigner

