

M4 Smart Motorway DCO Application: Comments of Slough Borough Council (SBC) on Examining Authority's Second Written Questions	SBC Comment
<p>4.2 Landscape and visual effects 4.2.3 The potential for off-site planting to replace planting lost as a result of the scheme and to provide enhanced environmental mitigation was discussed at the issue specific hearing dealing with matters relating to the environment, and London Borough of Hillingdon (LBHill) has identified locations with the potential for off-site planting to provide improvements to visual amenities EV-015 & EV-021. Highways England (HE) indicated that this could be dealt with by means of s253 agreements with land owners. However, there is no means by which such agreements could be secured through the draft Development Consent Order (dDCO), and therefore the Secretary of State (SoS) could not be satisfied that any off-site planting would be achieved.</p> <p>Could a requirement be added to the dDCO for a scheme of off-site planting to be agreed with the relevant local planning authorities before the M4 Smart Motorway (M4SM) is brought into operation, with an appropriate implementation clause included, or is this a matter which could be secured through a Development Consent Obligation?</p>	<p>SBC raised the same issue of landscape enhancement in its Local Impact Report.</p> <p>SBC supports the insertion of this requirement in the dDCO.</p>
<p>4.2.4 Can acoustic barriers be replaced with a type which would support plants, with transparent upper panels?</p>	<p>SBC is interested in the design of barriers (for air quality as well as noise mitigation) and welcomes exploration of this alternative type.</p>
<p>4.2.5 Can taller acoustic panels be provided where vehicles using the current hard shoulder might have a view into the upper windows of adjoining properties (for example Holyport Road, Maidenhead)?</p>	<p>n/a</p>
<p>4.2.6, 4.2.7</p>	<p>n/a</p>
<p>4.2.8 The allotments at The Myrke are a well-used community asset and the introduction of ALR would bring traffic closer to those working on the allotments. Furthermore existing vegetation on the motorway side of the boundary would be lost to the scheme which includes an emergency refuge area and new gantry in this location.</p>	<p>SBC agrees that the amenity of this community asset would be reduced by the Scheme.</p>

<p>What improvements could be made to the treatment of the boundary between the M4SM and the allotments at The Myrke in order to provide a visual and aural screen for allotment users?</p>	<p>The allotments are located outside Slough Borough but SBC would welcome the opportunity to work with HE and the Royal Borough of Windsor & Maidenhead in finding appropriate treatment.</p>
<p>4.4.1 <i>Biodiversity and water quality</i></p>	<p>No issues are understood to be outstanding in Slough.</p>
<p>4.6 Air quality</p>	<p>SBC welcomes the ExA's questions which relate to issues raised in Slough's Local Impact Report and at the Hearing. No further comments at this stage</p>
<p>4.6.1 <i>Definition of significance</i></p>	
<p>4.6.2 <i>Reliability of the HE assessment</i></p>	
<p>4.6.3 <i>Reliability of the HE assessment</i></p>	
<p>4.6.4 <i>Level of uncertainty</i></p>	
<p>4.6.5 <i>Implications for future AQMAs.</i></p>	<p>The only additional comments we would like to make is that the monitoring strategy for NO₂ should ensure the use of continuous air quality monitoring (which is a more accurate measurement method) in combination with passive diffusion tubes. A meeting between SBC and HE has been requested to discuss the air quality monitoring strategy.</p>
<p>4.6.7 <i>Scheme design</i> 4.6.8 <i>Future proofing the M4SM.....</i> Having regard to submissions on behalf of Slough BC and other IPs concerning the uncertainty of the modelled levels of air pollution from the scheme, we consider that provision should be made for the monitoring of air quality by HE along the route of the M4SM during the periods of pre-construction, construction and operation of the scheme. In the event that monitoring data indicates that the scheme is causing increases to levels of NO₂, then an Air Quality Action Plan should be produced for implementation until such time as air quality levels are improved.</p>	
<p>We therefore invite the applicant to prepare, in consultation with the relevant local planning authorities, a requirement to be included within the dDCO which provides for the following: i. A monitoring strategy for NO₂ detailing monitoring points, methods of measurement and levels of concentration which would trigger action, to be approved by the SoS₂ and implemented at least 6 months prior to the commencement of development.</p>	<p>The ExA is suggesting that, in the event of trigger levels being exceeded, management measures would be introduced to control concentrations ahead of physical measures. Could physical measures</p>

<p>ii. In the event that the trigger levels are exceeded, a scheme for the management of the M4SM which could include restriction of traffic speeds, restricting traffic flow from feeder junctions, restricting access to the route for specific classes of vehicle, or other measures to be submitted to the SoS for approval and implemented within 3 months of such approval.</p> <p>iii. In the event that the management measures are not sufficient to reduce the air quality levels below the trigger value, a scheme for retrofitting physical measures such as air quality barriers should be submitted to the SoS for approval and implemented within 6 months of approval. The measures to be included in this scheme should be in accordance with Best Practicable Environmental Options (BPEO) to ensure future proofing of the scheme.</p>	<p>be considered as an alternative to management measures if these are acceptable to the local planning authority in relation to visual impact issues?</p>
<p>4.7 Noise and vibration 4.7.1 <i>Hours of Working and Construction Activity</i> With the SoS as the approval authority proposed by the applicant for the dDCO requirement on the CEMP (and other requirements), how will the applicant secure an appropriate level of consultation with the local authorities in the dDCO?</p> <p>To what extent does the applicant accept LBHill’s proposals with regard to working hours at weekends, and how will these proposals be secured in the dDCO by means of the CEMP?</p>	<p>SBC also raised within its submissions concerns about night-time working and requesting restriction of activities at night which have been identified to potentially cause significant impact to local residents</p>
<p>4.7.2 <i>Noise Limits During Construction</i> What is the applicant’s response to LBHill’s concerns on the applicant’s proposals for construction noise limits and the Council’s proposals with regard to noise mitigation measures?</p>	<p>SBC also raised concerns about the accuracy of the night time noise prediction modelling, recommending strongly that before any limits are set for night time working the applicant should undertake a night-time noise survey prior to the completion of the DCO process to</p>

	validate assumptions and where necessary to amend night time noise predictions accordingly
<p>4.7.3 Enhanced Noise Mitigation Strategy</p> <p>What is the applicant's response to the specific issues raised by the following affected and interested parties:</p> <p>ii. Beverley Hunt (The Myrke resident) ^{REP4-011}, who called for an extension to the proposed noise barrier in the vicinity of the Myrke properties;</p>	<p>ii. SBC welcomes investigation of the potential to extend this barrier.</p> <p>SBC within its submissions has requested additional noise barriers be installed alongside Mercian Way Recreation Ground which lies close to the Huntercombe Interchange. This is a park with sports pitches, children's play areas and areas for informal recreation. The amenity of these important community assets would benefit from noise reduction.</p>
4.7.4 <i>Single-sided Noise Barriers</i>	SBC welcomes the raising of these issues
<p>4.7.5 <i>Low Noise Surfacing</i></p> <p>Would the applicant please state how the benefits of using low noise surfacing will be secured over the lifetime of the scheme when those benefits are lost as the surface ages?</p>	SBC welcomes the raising of this issue
<p>4.9 Effects on travellers (including Traffic Forecasting)</p> <p>4.9.1 <i>Cumulative Impact.</i> The ExA notes HE's submissions REP4-001 concerning the need to adopt a baseline date for the assessment of cumulative impacts. However ExA considers that a cumulative impact assessment should remain open to review over the period in which an application is proceeding through the consenting process. In this case, High Speed 2 (HS2) and the relocation of the Heathrow Express depot (HEX) are projects which are within the final stages of the Hybrid Bill process. HS2 has cross-party support, and HEX is necessary for HS2 to proceed. Royal Assent may well be gained in time for the start of</p>	SBC raised this issue in its Local Impact Report and welcomes the ExA's comments.

<p>construction in 2017-18.</p> <p>Since the primary potential for cumulative impact lies within the construction phase of the projects, the ExA considers that provision is required through the CEMP for any cumulative construction impacts that would arise as a result of works on HS2 and HEX during the same period as works on the M4 scheme.</p> <p>Can the applicant include, in the outline CEMP, provision for the mitigation of cumulative impacts in the event that there is geographical and timescale overlap between the construction of HS2 and HEX with the M4 scheme? An amendment to R8 in the dDCO is put forward in the list of questions on the dDCO. To what extent would these changes meet the concerns of the local authorities?</p>	<p>SBC considers that it is essential that the outline CEMP addresses this issue. Clause (g) of the suggested amendment to R8 is welcome.</p>
<p>4.9.9 <i>Distributional Effects on Local Roads Networks.</i></p> <p>Re question 23 in the traffic forecasting hearing EV-008, which asked the applicant's response to BCC's assertion in its written representation at Deadline II REP2-039 that the ES submitted in support of the dDCO did not adequately assess the impact of the proposed smart motorway scheme on the local road network during construction or operations and that no mitigation measures have been proposed, BCC in two submissions at Deadline IV, referenced a technical note provided by the applicant, and stated that: '<i>The impact of the local road network has not been quantified in the documents submitted in support of the DCO</i>'. At Deadline IV, BCC REP4-027 identified 17 locations/junctions that in its view required additional assessments, including the A4 corridor, the A335 corridor, the A412 corridor, and the A4007. The County Council went on to state that: '<i>Due to the time of year it will not be possible to undertake Manual Classified Counts (MCC) prior to the determination of the DCO. As such, the County Council and Highways England are considering how the assessment and mitigation can be secured through the DCO process.</i>'</p> <p>i. Since the responses at Deadline IV indicated significant concerns</p>	<p>SBC notes the detailed data provided to BCC by HE. Local roads such as the A4, A412 and A355 pass through Slough Borough as feeders to the M4. The potential impact of the Scheme on the local road network in Slough was an issue raised in the SBC Local Impact Report. Further information on the likely impact has been requested from HE but has not to date been received.</p> <p>i. SBC shares these concerns and</p>

<p>among some interested and affected parties over distributional effects on the local networks, would the applicant please state its proposed response, the issues that remain unresolved, and measures for securing mitigation for impacts on the local road networks in the dDCO?</p> <p>ii. Are local authorities content that the applicant’s approach to local modelling is valid for local roads? If not, what are their alternative proposals and how would they wish them to be secured?</p> <p>vi. What is the applicant’s response to the BCC submissions? If it is not possible within the timeframe to do surveys, what proposals do the applicant and BCC have, and what form of DCO requirement or Development Consent Obligation would secure the local road network both in the BCC locality and elsewhere along the scheme?</p>	<p>awaits data from HE on the detailed impact on the local road network in Slough.</p> <p>ii SBC is awaiting a detailed response from HE to requests made for data on the impact on Slough’s local roads.</p> <p>vi SBC registers its interest in the response to BCC’s submission given that these road corridors, which act as feeders to the M4, pass through Slough.</p>
<p>dDCO 8.25 R8 <i>8.-(1) No authorised development must commence until a CEMP, substantially in accordance with the outline Construction Environmental Management Plan, annexed to the outline EMP (dated ?), has been submitted to and approved by the Secretary of State, in consultation with the Environment Agency [and the relevant local planning authority, TBC].</i></p> <p><i>(2) The CEMP must include—</i> <i>(g) traffic management measures, including provision for the mitigation of the effects of the authorised development on traffic in combination with the effects of the concurrent construction of any other major developments, including HS2 and HEX;</i></p>	<p>SBC welcomes the aim of addressing the lack of detail in the earlier version of the CEMP.</p> <p>In suggested clause 8 (1) the role of the local planning authorities as consultees is left to be decided. SBC hopes that the final DCO will allow for the local planning authorities to be fully consulted.</p> <p>SBC welcomes suggested clause (g)</p>