

RESIDENTS' COMMUNITY ASSOCIATION

The Railway Terraces, Cricklewood

Correspondence address
6 Johnston Terrace
London NW2 6QJ

Chloe Jenkins
Principal Planner - Brent Cross Cricklewood
Strategic Planning and Regeneration
London Borough of Barnet

5 November 2020

Dear Chloe

Re: **20/4817/FUL**

We write on behalf of the Railway Terraces Residents' Community Association, in response to the planning application made by Capital Concrete to erect a concrete batching facility on the Rail Freight Facility on the Edgware Road.

You will be aware that the Railway Terraces are a designated conservation area. We are a close-knit neighbourhood of over 200 homes, mostly Victorian railway cottages with communal lawns, a community allotment and community spirit. We take pride in our environment, have beautiful historic houses, and a great neighbourhood 'feel' that encourages a diverse community to settle, raise families and remain living here into old age.

The erection of this facility, only 200 metres from our homes, would have a significant and deleterious impact on our amenity and well-being. It would bring heavy industry to a village setting, and it is therefore inappropriate.

You will also be aware that the existing Rail Freight Facility depends on a specific planning condition: a substantial acoustic eco-barrier that was to be built **and maintained** at the southern perimeter of the site, offering some protection to our community. A whole section of this barrier collapsed dramatically on 25 July 2020, leaving a gap, and destroying the irrigation system of the remainder. The collapsed structure has not been repaired, yet the site has continued to operate, in breach of planning conditions. Deprived of irrigation the plants are dying, and the whole thing is a sorry sight.

We have repeatedly sought reassurances that DB Cargo will repair the barrier at least to its former specifications. On each occasion DB Cargo have only stated that they are employing consultants to look at when and how the barrier can be repaired. Each time we have asked for a timescale for the repair we have been told that there is no timescale currently available.

Chair: Marlene Wardle Secretary: Jessica Howey Treasurer: Dervla Flynn

This is relevant to the current application because the applicants rely on the presence of the eco-barrier as one of the main mitigations for visual and noise impact on the terraces (see, for example, pages 10-11, 21 and 24 of the Landscape and Visual Impact Assessment. Also see Appendix G).

At this stage we do not know (and it appears DB Cargo do not know) whether or not the eco-barrier can be reinstated and, if so, to what specifications. **It is therefore premature to consider this current application: one of the applicant's mitigating arguments has *literally* collapsed.** The application should not be considered until the eco-barrier has been reinstated in full. Photos of the collapsed barrier are on pages 8 and 9.

Even with a functioning eco-barrier in place in future, you should please turn down this application. Our objections are based on the following main issues:

- a) Visual impact,
- b) Air quality,
- c) Dust pollution and traffic on the roads,
- d) The importation of cement onto the site,
- e) Noise pollution,
- f) The introduction of heavy industry into this part of Cricklewood for the first time,
- g) Inadequate consultation process with the wider community and consideration of impact on residents at the Matalan development site,
- h) A lack of clarity in relation to some aspects of the development and workings.

Visual impact: The facility is proposed to be just under 17 meters at its tallest point. An unsightly industrial building will dominate the skyline. This impact will not just hit the terraces but also all the neighbouring communities, many of which have just been built or have just sought planning permission. We have asked Capital Concrete if it is possible to reduce the height of the buildings. It is clear that they could, but that would reduce the volume of material that they could produce and may require them to have access to a larger area of land (N.B. DB Cargo currently has two adjacent plots to rent, not one). Therefore the 'need' for a height is generated by cash flow issues not by feasibility.

The height of the plant has been calculated using the general, and inaccurate, height above ground level ('AGL') methodology. This should be replaced with calculations of height above ordnance datum ('AOD') because the ground is undulating and even a difference of 1 meter in the true height could make a radical difference to visual impact.

Some of the projected line of sight images (e.g. Viewpoint C baseline images) are not indicative of the true impact because they have been taken with deciduous trees (during summer) occluding some of the view. During 6 months of the year the trees will not provide the cover the images would otherwise suggest and, in any event, moving slightly to one side of the current line of sight image would result in greater visualisation of the proposed development.

In any event, parts of the plant remain visible from parts of the terraces, and a number of bedrooms at the north end Midland Terrace and Dorchester Court look directly on to the silos. The plant is clearly visible from viewpoint D. The visual impact will be worse from 38

Midland to 42 Midland Terrace, not to mention the visual impact from bedroom windows which hasn't been taken into account at all.

Being able to see a large industrial plant like this from our homes, gardens and streets will have a significant impact on our amenity.

Air quality: The air quality modelling is not robust: it does not use statistics from plants that are the same. One of our residents, an air quality researcher and academic at a London University, asked Capital Concrete for air quality readings for an analogous fully functioning concrete plant. Despite promises, we were not provided with these statistics, just readings from a site where aggregate was handled, not a site which was actually functioning as a concrete batching facility.

The air quality analysis is not supported by any verified data at all. Dust modelling has been based on emissions from quarries (which process inert materials), not on concrete batching facilities which process a combination of inert aggregates and toxic substances (principally cement).

This gap in evidence base also applies to the assertion that the cement lorries (which have to remain idling in order to operate their pumps) will not lead to an adverse impact on air quality.

Air quality objectives are based on standards introduced in 2005 and 2010 and so are not in keeping with modern air quality standards (page 12).

Predicted rainfall data (used to estimate the number of days on which suppression of dust will occur due to climatic conditions) at page 32 is based on rainfall in Kew Gardens. This is not representative of rainfall in Cricklewood.

GL Hearn's Air Quality assessment at appendix F indicates the potential for additional monitoring to be required because the existing modelling and mitigation for the site does not include consideration of an operating concrete batching plant. The application has not taken this into account. Rather, at section 8.4.1 it is said "The planning conditions for the proposed concrete batching facility and associated documents set up the details of the monitoring location, monitoring frequency, monitoring period and other requirements". This is actively misleading. Those planning conditions, as pointed out by G L Hearn, relate to a Rail Freight Facility which does not have a concrete batching plant on it. No reasoned argument is put forward by the applicant as to why augmented monitoring would not be needed if a concrete plant were built, given the new presence of cement, additives, loading and readymix vehicle emissions. This is an unacceptable oversight as a result of such a site being built and operational.

Dust pollution and traffic on the roads: On a number of occasions, lorries from the existing site (which is currently operating at less than 50% capacity) have left heavy tracking of mud and dust on the A5 and bordering walkway. We attach photos of this taken on 1 October 2020. These are only one example of many.

The applicants rely on the current site management arrangements for their application. If the site managers currently cannot keep non-toxic pollution under control, even while only partially functioning, we have no confidence that existing mitigation measures will be sufficient for the additional, and more toxic, industrial process proposed.

At peak times (especially first thing in the morning) the A5 is already struggling to cope, with vans queuing from both directions for the builders' merchant immediately to the northwest of the site, close to Our Lady of Grace Primary School.

The importation of cement onto the site: Currently, inert aggregates are imported by rail to the RFF site. Building waste is imported by road to the site and exported by rail. The building waste is non-putrescible and non-toxic. It is all graded and certificated at points of origin before it is imported to the site. All of these restrictions/regulations are required by the pre-existing planning permissions. If the concrete batching plant is built and operational, it will require cement to be imported onto the site (cement, of course, being one of the main constituents of concrete). This will mean that for the first time a highly caustic and toxic substance will be brought onto the site with all the risks of contamination to air and water than come with it. We do not consider that this is appropriate so close to so many residential areas.

Noise pollution: The 3 meter barrier (N.B. this is not the eco-barrier referred to earlier in the letter) that can be seen in the drawings as being sited around the development is insufficient to block noise from aggregates being propelled up a conveyor belt to hoppers which are many times the height of the barrier. The effectiveness of the barrier is not adequately cross referenced in the noise report.

The noise report does not consider the cumulative impact of the plant operating and the activities already taking place on site.

The analysis of noise pollution is based on subjective analysis of the impact that the modelled noise will have on residents -optimistic speculation rather than hard data.

The short consultation period has meant that we have been unable to commission our own acoustic report in order to test the hypotheses and workings contained in the noise report submitted in support of the application.

The introduction of heavy industry into this part of Cricklewood for the first time: This part of Cricklewood has been home to residential homes, light industry, retail and other similar uses for decades. There are no heavy industrial processes in the close vicinity. The creation of such a site would be a radical and unwarranted departure from the area's heritage. There is no recognition or acknowledgment in the application of this and so, it is assumed, that the applicants have simply ignored this inconvenient reality.

By way of an example only, p7 of the heritage statement fails to recognise the fundamental difference in nature (and impact on amenity) of a concrete batching plant and warehouses. Instead it appears to treat them as broadly analogous land uses.

Inadequate consultation process with the wider community; no consideration of impact on residents at future development sites: The applicants have not sent notification letters to all households and many people have no idea what is proposed.

Cricklewood is the centre of significant recent, current and imminent new building of homes in Brent and Barnet: Fellows Square is built and occupied, the Wickes/Matalan Site and the B and Q site have advanced plans; the parade on the westside of the A5 opposite the RFF entrance is in the process of development. The future residents, and the Brent Cross Town railway station and associated housing developments will not want to be sited around a concrete plant.

The applicants treat the Matalan site as a retail only site. The applicants do not appear to be aware that a multi-storey residential complex will occupy that site (subject to planning permission), and their visual amenity will be grossly affected by the presence of the proposed development.

The length of the consultation period was too short to enable residents to verify and critique the (highly subjective) noise report included in the application.

The application submitted does not contain images showing the different configurations explored in relation to the site and how different orientations could have an impact on noise, visual and air quality amenity. There is no evidence that alternative layouts have been explored by the applicants, and they certainly have not engaged with us about it.

A lack of clarity in relation to some aspects of the development and workings: There is inadequate exploration of the impact of cement/concrete wash off entering the water system on site and the surrounding area. Inadequate explanation of the lighting systems that will be in place (height, direction of beam, hours of use and no lux level information included) to enable residents, and the planning committee, to understand what impact on visual amenity the proposed lighting will have.

There needs to be clarity as to whether or not any aggregate will be stockpiled on the proposed development and, if so, then the same conditions should apply to those stockpiles (i.e. being covered, limitations on height etc) as are contained in the conditions for the wider site (see e.g. condition 10).

We would welcome the opportunity to comment on any proposed planning conditions well in advance of the application being considered.

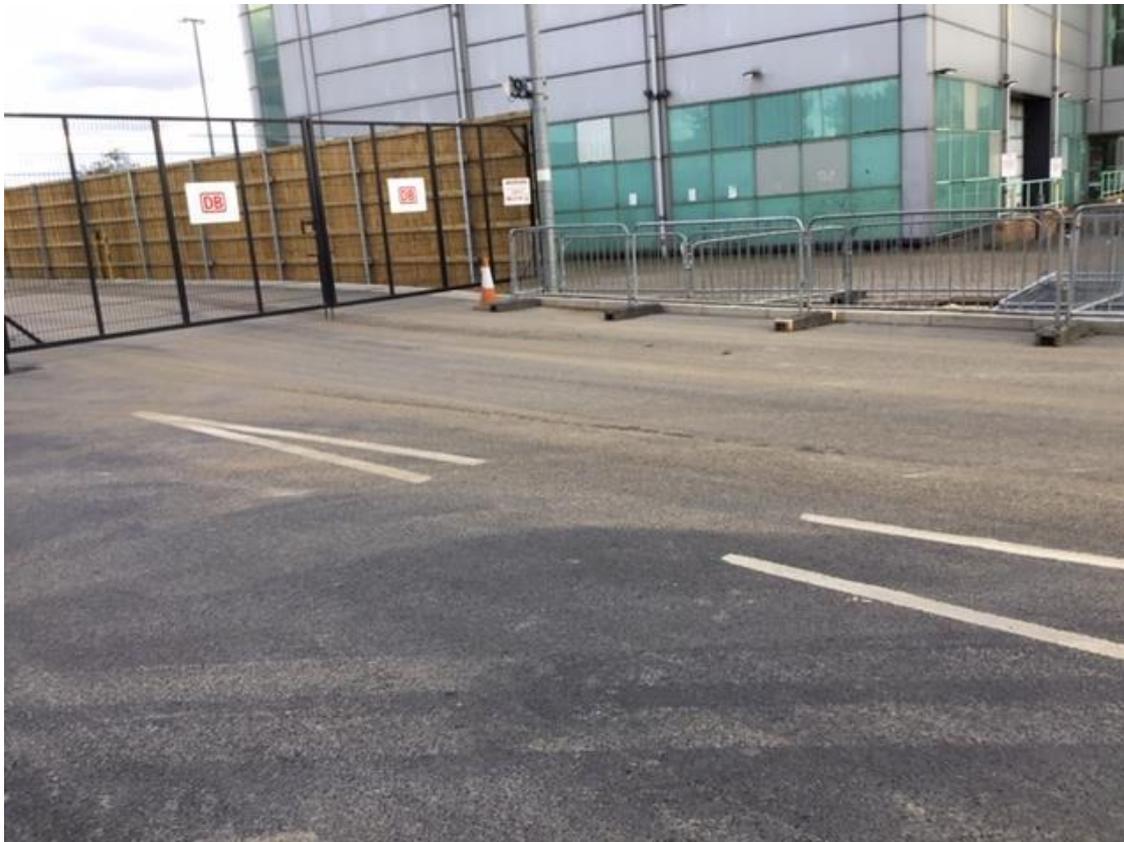
In any event we would urge you to reject this application in order to protect our conservation area, amenity and the wider community.

Yours sincerely

Marlene Wardle, Chair
Railway Terraces Residents Association

CC Cllrs Shimon Ryde, Peter Zinkin, Anne Clarke

MUD AND MESS ON ROAD EXIT FROM DB CARGO'S SITE





Dirty foot prints of pedestrians that have crossed the road used by HGV's leaving the DB Cargo site.



COLLAPSED ECO-BARRIER



