

**Appeal against Haringey Council's decision to refuse permission for
London Concrete Limited's Concrete Batching Plant**

at

Ferne Park Depot
Cranford Way
London, N8 9DG.

**Appeal Number APP/Y5420/A/05/1189822
(Application Number HGY/2005/0007)**

Closing Statement

by

Cheryl Yvonne Walton

on behalf of

Parkside Resident's Association

20th March 2006

This is the closing statement of Cheryl Walton on behalf of Parkside Resident's Association regarding the appeal by London Concrete Limited against the non determination of an application, and the reasons it would have been rejected, had it been determined, by London Borough of Haringey.

There has been an enormous amount of expert information brought to this hearing, some of it erroneous, but a lot of it is quite compelling. For rule 6 (6) status participants, the operating and proposed sites that were prepared for our visits, have proved particularly informative, giving a close look at and a direct experience of the operations that are proposed for the site at Ferme Park.

During the representation by London Concrete's expert witnesses, and especially during the site visits, I, as a resident's representative have been able to take some comfort from the evidence presented and no longer have all the concerns that I came to this hearing with. I do believe, as was stated by a number of London Concrete's expert witnesses, that they are probably one of the best in their industry and implement safety and operational measures to a high standard. However, I do still hold particular concerns that have not been assuaged by any of the evidence and maintain that this proposal is of no significant benefit to our neighbourhood and will, in fact be detrimental.

During the hearing, I have been particularly impressed by the 50 or so residents, Councillors, local professionals and other third parties who have made their own diversely intelligent and rational representations and consider these to be the only real experts in this. They have a real understanding of the local area and character and are, after all, qualified to speak with knowledge and conviction. It is my belief that they have affectively presented their arguments against this development and should not be dismissed.

In closing Parkside Resident Association's representation in this hearing, I would like to review the issues that are still of concern. These remain valid and strong reasons for this proposal not to proceed:-

1.0 **Noise and Vibration**

1.1 The evidence presented by London Concrete's noise expert witness, Mr Sharp, stated quite definitely that there would be no noise impact from the plant.

1.2 The rail deliveries at the Wembley plant, although outside of London Concrete's control, are similar to those proposed at Ferme Park and were incredibly noisy. A train is about 20 carriages in length, each carriage takes about 10 minutes to move into place, bottom doors to open, contents to be emptied and move out of the shed. This totals an average of 3 hours to discharge the whole train's contents. The residents concerns associated with shunting, braking, jet cleaning and general heavy rail freight noises and vibration are, therefore, founded.

1.3 The Wembley visit further confirmed our concerns over the added noise caused by the conveyors and dumping into storage hoppers. These operations make sounds like jet engines & should be considered as significant significant impact, not 'no' impact.

1.4 The introduction of a compressor, discussed in the hearing, would cause another noise which has not been factored into any of the calculations submitted.

1.5 There are delivery time controls imposed on the site, but it is my belief that there can be no such controls exercised over the arrival times of these freight trains that cannot be effectively scheduled and are out of the control of London Concrete Limited anyway. The disturbance from these trains could start at any time before the 7am plant start up and would continue throughout the working day.

1.6 None of the considerable or significant impacts from rail are calculated in the submitted figures simply because it is the government's preferred method of transport.

2.0 **Dust**

2.1 Mr Grant's evidence confirms that London Concrete Limited's operations are not as dusty as previously thought because they primarily discharge wet mixes and they implement mitigation measure to the plants in an attempt to prevent dust emissions. These mitigation measures, however, are not completely effective as they can and do fail. You cannot prevent failure, and even London Concrete Limited have conceded this. When there is failure, there will be pollution, and, in Mr Grants own words, this

would cause 'major dust emissions'.

- 2.2 The private contractors use open tipper trucks, the site conveyor belts for the aggregate delivery and mix are covered but not enclosed, the aggregate bottom discharge shed is covered on 3 sides only in order to get the train through and cannot be fully enclosed. The trains themselves are not covered in any way at all, and although the transported mix has an average of 79% moisture content, this can and will dry out in certain circumstances.
- 2.3 There was clear evidence on the sites that there is some tracking out of fugitive aggregate from the rail freight deliveries, choking the green space along the rail embankment, the settlement tanks; which involve three stages; requires that concrete components are left exposed to the atmosphere and there was slurry on the yard surface which could not be fully cleared or would not be wetted down at all times, especially outside of working hours.
- 2.4 The next stage in the development of this site, if London Concrete Limited were permitted to build their plant there, will be an aggregate depot, at worst, and, at best, an increase in production by the 100% which the plant has the capacity for. This will make the dust emissions risks even higher.

3.0 **Impact on the Character of the area**

- 3.1 Despite the assertions from Mr Casey, during cross examination and discussions during the site visits, that the residential character of the Ferme Park area is similar to those where London Concrete Limited already operate, or are proposing to operate, is simply not true:-
- 3.2 Tolworth has a busy dual carriage way serving it, and is immediately adjacent to a bus depot and train station, and although it does have open space at it's boundary, the nearest existing residences are across from a derelict site and a four lane road. There will be residences right beside it once it is built but these homes will be developed and occupied with the plant already in existence. The conditions will, unlike Ferme Park, therefore already exist.
- 3.3 Wembley has no residences as close as Uplands Road and Chettle Court and has better road distribution as it is served by the A406.
- 3.4 Battersea is not as close to residences as Ferme Park would be either and although plant traffic does pass through residential streets, the overall character is completely different since the London Concrete Limited's

plant is deep within an industrial estate. The difference between this industrial estate and Ferme Park is its immense size. Regardless of even this, the residents near the Battersea plant feel that they have reason to complain about the impact it has had on their amenity.

- 3.5 London Concrete Limited's proposed plant at Ferme Park would certainly be incompatible with, and have an adverse impact on the current occupiers of the estate; the head landlord is concerned and has expressed these concerns during this hearing; It signals a creeping change of character that would change everything for the local residences, particularly their quality of life.

4.0 **Traffic**

- 4.1 There are no real controls regarding traffic generated by private contractor's; their vehicle size, management or regularity of visits to the plant and even if London Concrete themselves were forever limited to their 5 trucks at the site, the quantity of these uncovered trucks is, again, only limited by the amount of concrete that is produced at the plant. There no proof that can substantiate the average numbers of private contractor's vehicles expected to visit the site. There is proof, however, that other businesses send their trucks to London Concrete Limited plants, the numbers of these have not been quantified or admitted into evidence.
- 4.2 The Battersea plant was originally given planning permission with 4 trucks operating from the site. This has since been increased to 8 in number through the process of applying for variation to the conditions imposed by the local authorities when granting permission. This could very easily become the case at Ferme Park and output could increase by 100% to suit demand. The productivity of the plant is limited only by the number of operational trucks at the site.
- 4.3 None of the operational London Concrete Limited plants is comparable to Ferme Park for distribution by road as they all have perceptively better road links. That said, there is still visible congestion around all these sites.
- 4.4 The layout of railways, and weight restricted bridges around the site means that there are poor links from and through this part of the Borough. Wightman Road, Alroy Road, Green Lanes, Endymion Road and Turnpike Lane are all traffic bottlenecks and the ladder roads all have restrictions on speed and weight. The alternatives for domestic traffic are very limited and with weight restriction over the railway lines, the alternatives for HGV are next to none. This restriction will increase length of the truck journeys from the plant out to its customers.

- 4.5 We also remain concerned that London Concrete Limited are unable to prove that they can plan sensible, suitable and safe road routes for their trucks once they leave the site, move past our residences and travel on to their delivery destinations. They simply rely on identified distribution routes with no research. We have all heard the local accounts of London Concrete Limited's lorries using our ladder streets and during the Wembley site visit, we saw London Concrete Trucks in the local Tesco car park, where it is unlikely that they should have been.
- 4.6 Mr Casey's dismissal of the resident's traffic surveys as being 'snap one day counts' and therefore of no purpose, would suggest the same of any such survey and, therefore, having no purpose. We would challenge any of London Concrete Limited's or indeed Haringey Council's finding on this as also being of no purpose.
- 4.7 We witnessed 4 trucks arriving empty and leaving loaded within the space of an hour at the visit to Battersea. Mr Casey considered this as a 'reasonably busy period, neither quiet nor very busy' but disputed the concerns regarding peaks of traffic flow. When pressed in questioning, however, it was established that Mr Casey considered this to be 'typical' level of activity. With this in mind we are left with no alternative but to dispute the London Concrete Limited claim that there are no peaks of traffic attending the plant and that their commissioned traffic survey findings should be considered as having as little purpose as Haringey resident's surveys have been.
- 4.8 Because drivers are paid by the load and will be under personal or professional pressure to deliver as many loads in a day as possible, the 'averages' quoted by London Concrete are likely, if not guaranteed to be immediately exceeded.
- 5.0 **Conclusion**
- 5.1 We fully appreciate the need for development in the borough, but development should mean improvement, and this has not been proven to be an improvement in any way, shape or form. The proposed plant is immense in height and could never be considered attractive, nor indeed are the units already on the site, but this should promote the inspiration needed and opportunity available to improve the estate. This plant will not.
- 5.2 Refusing permission for this plant will not prevent London Concrete Limited from providing concrete. They have 9 plants in the London area

and sites like Wembley are just over 8 miles away. It has been proven that concrete can be transported more than 5 miles and sites such as Wembley can, therefore, serve the borough's reduced construction requirement.

- 5.3 Refusing permission for this plant will not prevent the development of this site or the surrounding area.
- 5.4 Refusing permission for this plant will, however, ensure that the areas amenity and character are maintained. Building it would be a mistake.
- 5.5 In making our this closing statement, we wish to continue to give our support for Haringey Borough Council's recommendation to refuse the application and fully expect that they will continue to protect the area from any other inappropriate type of industry.