

Dear Ms Wass

Ref S/0204/16/CW

Thank you for your invitation to the BWRA to add some additional comments after the deferment of the decision on the Cemex application.

Amenity damage

1 The BWRA's principal concern remains the damage to our amenity caused by the passage of the trains. Notwithstanding the observations in para 5.5 made by SCDC about mitigation measures, we recognise that, for the houses alongside the line in Bendyshe Way and Malthouse Way, acoustic screens are not an option as they would damage the amenity even more.

2 The cause of the most noise is a change in the train's speed along the quiet zone. Either a gradual one as the train accelerates under load from the 5mph speed at which the engine passes Glebe Road up the incline to the works, or a drastic one as the train applies the brakes either just slowing down to the 5mph over the crossing, or because the gates are not open and it brakes hard to come to a complete standstill and then sets off again.

3 Another cause of noise originates from the physical condition of the locomotive and the rolling stock. Residents noticed that, in the current contract when the new wagons were operating, the noise level was diminished. We would ask that you specify an age limit to be put on both engine and wagons.

Enforcement of conditions

4 Despite the signage along the track and the conditions imposed by the BLR Operating Manual, residents closest to the Glebe Road crossing report frequent disregard of the permitted speeds and the run through.

All residents of affected roads are made forcibly aware of forbidden braking events. It is impossible to police these behaviours adequately and the threat to the amenity of nearby residents is always present.

5 The most reliable way to minimise the threat to the amenity is to reduce the number of train movements.

6 Your para 5.48 cites the petition raised by BWRA from residents in Bendyshe Way, Glebe Road, Malthouse Way and Heslerton Way objecting to 8 movements a day back when S/01080/10/CW was being considered. At that time BWRA asked for four movements a day and that remains our position today, now fortified by the experience of the current planning permission.

Argument in favour of four movements

7 The reduction from six to four movements a day clearly represents a significant saving of the amenity of residents of the affected roads, and also for the convenience of road users at the Glebe Road, Haslingfield Road and Foxton Road crossings, and also of the A10 at Foxton.

8 Its cardinal advantage however is that it is the most effective way of achieving lower numbers of SOAEL events and a lower impact on the local amenity.

Inevitability of a request for extension

9 Cemex claim that the annual load capacity of the railway is 1.08 million tonnes. The BWRA calculates the capacity of loads per year to be $50T \times 23 \text{ wagons} \times 3 \text{ loads} = 3,450 \text{ Tonnes per day}$, multiplied by 271 = 935,000 tonnes per year, a reduction of 14% on Cemex's claim. Cemex

have not provided details other than “inert construction, demolition and excavation waste” but if the density is too high (e.g. excavated boulder clay or solid chalk) more trains will be needed and the assumptions on filling the quarry will be severely compromised.

10 Our experience over the life of the existing contract has been that only very rarely were more than two full trains run in a day and, whilst we recognise that future operations cannot be held to ransom by previous shortcomings, Cemex’s failure to exploit the opportunities afforded by the planning permission seems to suggest that infill material is hard to come by and sporadic in its availability. Cemex are recognising this fact by requesting an opportunistic fourth train.

11 The consequence of the inevitable failure to run three trains **every single working day** for 15 years will be the need to request a time extension to the project if it is to continue in its present form.

12 We see nothing in the conclusions (para 8.68 *et seq.*) that suggests that time to fill the quarry is of the essence. According to the Cemex presentation at the Planning Committee hearing, and para 2.4, the proposal is to return the majority of the quarry void to calcareous grass land. While the BWRA has no objection to this proposal, it fails to see any compelling reason why it should be completed in 15 + 2 years rather than in a longer period. In other words: “what’s the hurry?”

Advantage of four movements

13 The BWRA asserts that it is more desirable to run two trains a day for a longer period and we enclose the results of a petition which asks whether more trains or a longer fill period is preferable. Residents who live within aural range of the railway line were canvassed. Almost unanimously (two preferred the shorter period - one on Heslerton Way and one on Glebe Road) they choose to have less trains now rather than shorter time to completion in the future. The BWRA interprets this as evidence that even the experience of 4 train movements has compromised the enjoyment of these residents’ amenity.

14 Two trains per day will enable the construction of the new houses to proceed with less interruption, and also provide less damage to the amenity of the residents of the new houses.

Conclusion

15 In their conclusion the planners state that the benefits of importing inert waste over a 15 year period “just outweigh the level of disturbance that would be experienced...” The assumption that the planners make is that their conditions will be adhered to; the BWRA asserts that, in its experience, these have proved impossible to control in the past as they rely on unsupervised subcontractors operating outside their own interests.

16 Therefore the BWRA requests in the strongest terms a reduction of permitted movements from six on average per working day in a month to four.

Yours sincerely

Peter Bird
Chairman
Bendyshe Way Residents’ Association

Dated 17th September 2018