

TECHNICAL NOTE				VELOCITY	
Client	Bellaview Properties Ltd			Page No.	1 of 7
Project	The Network Rail (Old Oak Common Great Western Mainline Track Access) Order			Project No.	23/163
Subject	Response to NR Weight Restriction Note			Document No	TN001
Prepared By	CG	Checked and Authorised By	CG	Date	18 Jan 2024

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

THE NETWORK RAIL (OLD OAK COMMON GREAT WESTERN MAINLINE TRACK ACCESS) ORDER

BELLAVIEW PROPERTIES LIMITED (BPL)'S RESPONSE TO NETWORK RAIL'S NOTE ADDRESSING POINTS RAISED BY THE OBJECTORS IN RELATION TO THE WEIGHT/TIME RESTRICTIONS ON FRIARY ROAD

1 INTRODUCTION

- 1.1 On 5 January 2024, Network Rail (NR) submitted a note clarifying the impact of weight restrictions on Friary Road in relation to restrictions on their access to Horn Lane (NR's Note).
- 1.2 This note submitted on behalf of BPL seeks to clarify BPL's position in relation to this matter and provide a response to NR's Note.

2 BPL'S RESPONSE

- 2.1 BPL welcomes NR's acknowledgement that access to Horn Lane will be via residential roads protected by the London Lorry Control Scheme (the LLCS). The LLCS aims at minimising night time and weekend noise pollution.
- 2.2 It is common ground that NR would be able to secure the required permission to use these routes. However, BPL maintains it is for the Inspector (and ultimately the Secretary of State) to decide whether it is reasonable or necessary to impose such significant night time, weekend, and public holiday disruption to local residents by granting the Order, in other words for a period of 5 years, and in particular over Christmas and New Year when it may be considered unreasonable to cause disturbance, they will suffer precisely the nuisances that the LLCS was designed to guard against. The Inspector will recall Ms Kusza's evidence of being woken at 7am on Christmas morning as a consequence of railway related works. It was unacceptable and unwelcome to her and no attempt was made by NR to mitigate the impact.



Page No.	2 of 7	Project No.	23/163	Document No.	TN001	Date	18 Jan 2024
----------	--------	-------------	--------	--------------	-------	------	-------------

- 2.3 NR's Note states that BPL suggested that Friary Road could not be utilised for the project, an issue which might constitute an impediment to the project. NR appear to relate this statement to the weight restriction on Friary Road, whereas the point made by BPL is that while access from the A40 is possible via Friary Road, egress is not; as it is a one way road at it's junction with the A40.



Google Streetview (© 2024 Google) showing exit from A40 onto Friary Road. The one way and 20mph signs are visible



Page No.	3 of 7	Project No.	23/163	Document No.	TN001	Date	18 Jan 2024
----------	--------	-------------	--------	--------------	-------	------	-------------



Google Streetview (©2024 Google) showing the point at which progress east along Friary Road towards the A40 is no longer possible, with vehicles being obliged to turn right (as experienced on the site visit), the no entry signs are visible

- 2.4 As acknowledged by all parties at the Inquiry, there is also a physical weight restriction of 7.5 tonnes on the Horn Lane bridge over the Great Western Main Line; this coupled with the LLCS restricted hours means that any traffic heavier than 7.5 tonnes egressing the Horn Lane site must travel south on Horn Lane.

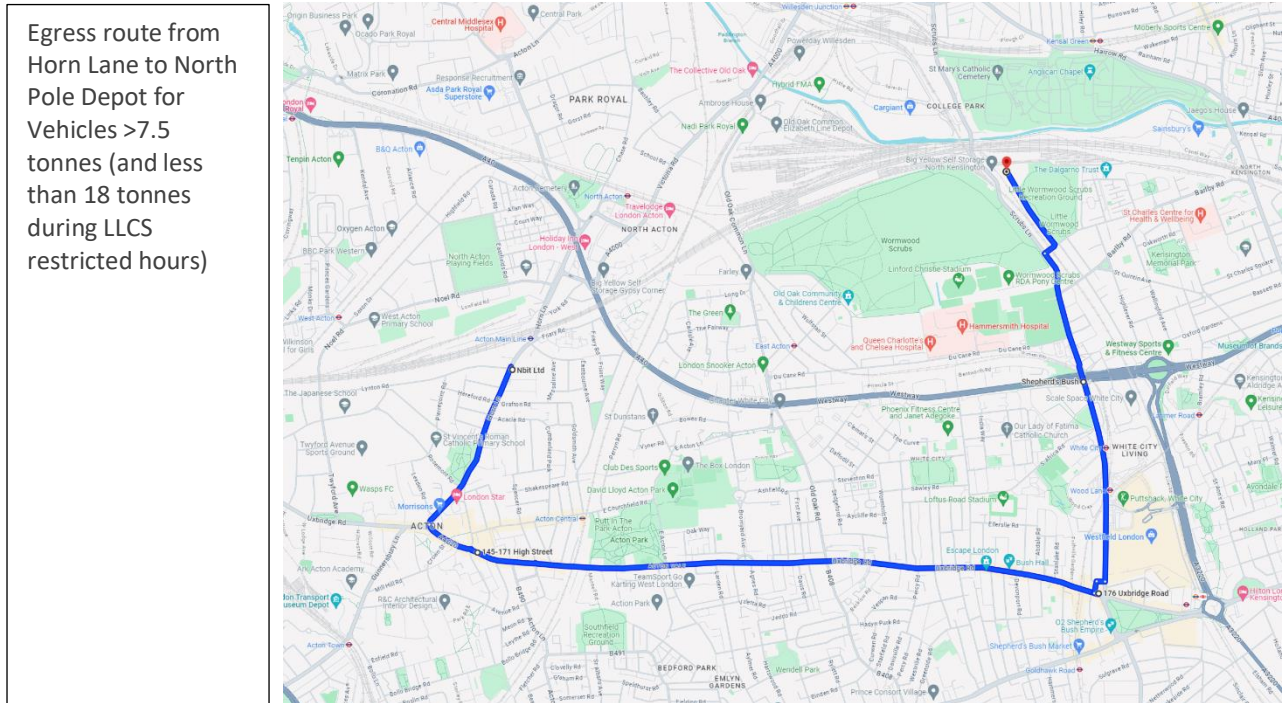
Vehicles weighing between 7.5 tonnes and 18 tonnes, travelling to North Pole Depot (for example) would logically turn left onto Acton High Street, travelling to Shepherd's Bush, north along Wood



Page No.	4 of 7	Project No.	23/163	Document No.	TN001	Date	18 Jan 2024
----------	--------	-------------	--------	--------------	-------	------	-------------

Lane and north along Scrubbs Lane to return to the North Pole Depot, as illustrated in Figure 1 below.

Figure 1 - Egress route from Horn Lane to North Pole Depot during LLCs restricted hours for vehicles rated 7.5-tonnes – 18-tonnes.



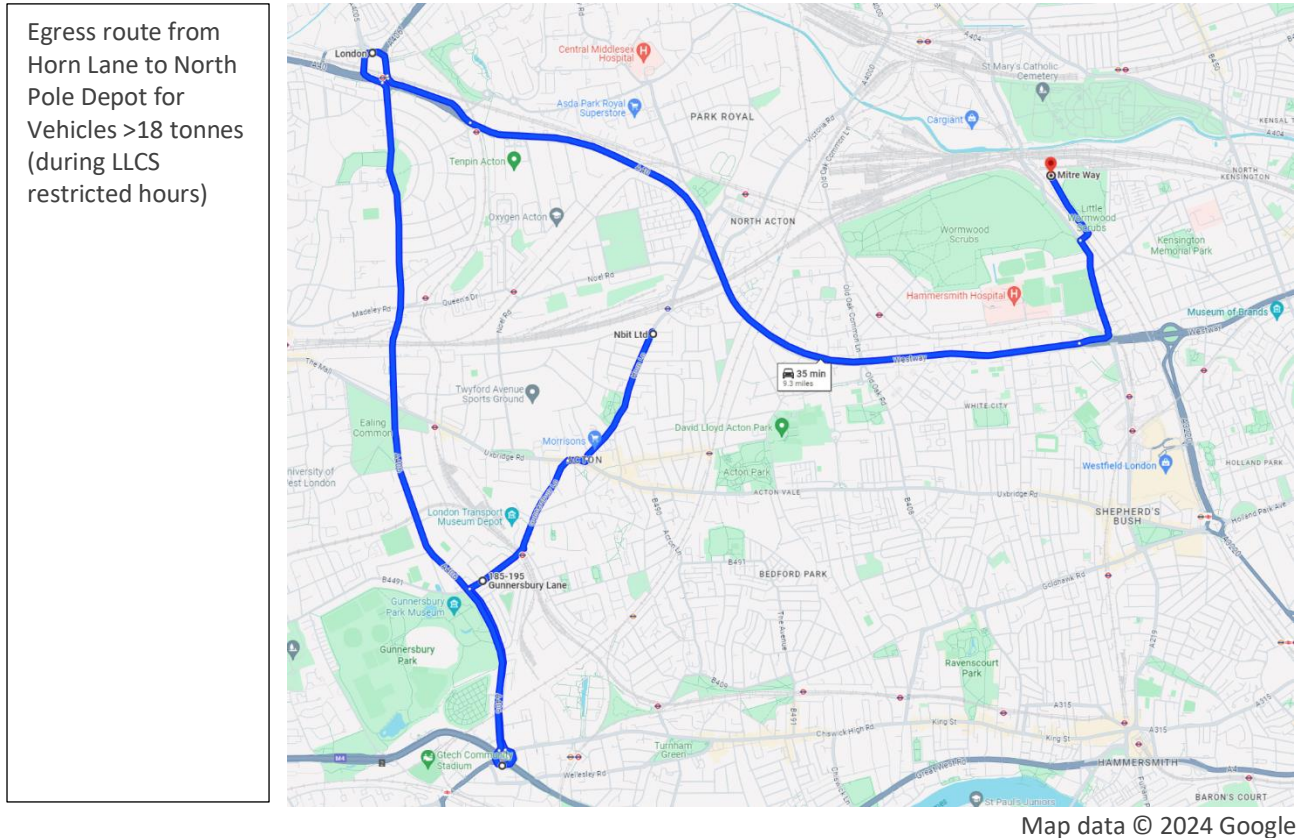
Map data © 2024 Google

- 2.5 Vehicles over 18 tonnes (i.e. the Heavy Goods Vehicles that will be used by NR in relation to the project, and which they have stated must have 24-hour unfettered access to the worksite) must continue south on Gunnersbury Lane (as the shortest exit route back to an unrestricted route outside of the control of the LLCs (in accordance with Condition 5b of the permitting regulations, included as Appendix A to this note), and then (assuming the vehicle is returning to NR's logistics hub at the North Pole Depot) south on the A406 as right turns are not permitted, U-turn at the junction with the A4/M4, north on the A406 and east on the A40, repassing Friary Road. This constitutes a diversion of seven miles compared to the access route via Friary Road, as illustrated at Figure 2 below.
- 2.6 Both diversion routes described in paragraphs 2.4 and 2.5 assume routes undertaken are the most logical in compliance with the LLCs regulations.
- 2.7 For deliveries from locations other than North Pole Depot, the same principles apply. Vehicles wishing to return to the A40 would need to travel via the A4 roundabout with a significant diversion. For vehicle drivers wishing to egress via the A4, their route would be direct and unchanged.



Page No.	5 of 7	Project No.	23/163	Document No.	TN001	Date	18 Jan 2024
----------	--------	-------------	--------	--------------	-------	------	-------------

Figure 2 – Egress route from Horn Lane to North Pole Depot during LLCS restricted hours for vehicles rated heavier than 18-tonnes.



3 SUMMARY

- 2.8 Whilst BPL does not dispute NR's conclusion in NR's Note that Friary Road (and other roads subject to the LLCS) can be used for the purposes of the project subject to certain restrictions, BPL notes:
- a. The likely night time, weekend, and public holiday (including over Christmas and New Year) noise pollution caused by NR's vehicles transiting to and from Horn Lane (although permitted under the regulations and subject to certain restrictions) is an important consideration for the Inspector and ultimately for the Secretary of State to take into account in the decision whether to grant the Order; these are residential roads subject to 20 mph speed limits, and the LLCS is designed specifically to prevent noise to residents on these roads at the times that NR intend to use these for the project; and



Page No.	6 of 7	Project No.	23/163	Document No.	TN001	Date	18 Jan 2024
----------	--------	-------------	--------	--------------	-------	------	-------------

- b. The egress routes for NR's vehicles weighing between 7.5 tonnes and 18 tonnes and vehicles over 18 tonnes travelling from Horn Lane to NR's logistics hub at the North Pole Depot during LLCS restricted hours mean that the North Pole Depot constitutes a more suitable alternative to the Horn Lane site.

18 January 2024



TECHNICAL NOTE					VELOCITY		
Page No.	7 of 7	Project No.	23/163	Document No.	TN001	Date	18 Jan 2024

Appendix A

Permission Conditions LCU 501

Revised Nov 2011



LCU501

**LONDON LORRY CONTROL SCHEME
CONDITIONS CONSIDERED FOR ATTACHMENT TO A PERMISSION (PERMIT)***

Notes:

- A. In these Conditions, unless stated otherwise, the word "applicant" shall be taken to mean both the applicant for the Permission and, if different from the applicant, the person to whom the Permission is granted and the driver of a vehicle in respect of which a Permission is granted.
- B. The Permission is valid for the areas of the London Boroughs participating in the Scheme as indicated on the current London Councils London Lorry Control Scheme map. This area is referred to as the "Permission Area".
- C. A "restricted road" is a road to which the Traffic Order applies and an "excluded road" is a road in the Permission Area to which the Traffic Order restrictions do not apply.
- D. Failure to comply with the Conditions may result in the revocation or suspension of the Permission.
- 1. The applicant shall operate the vehicle for which the Permission is issued in compliance with the measures set out in these Conditions.
- 2. The applicant shall carry out modifications to the vehicle for which the Permission is issued so as to comply with the measures set out in the Schedule accompanying the Permission. The modifications shall be completed within the period specified in the Schedule. The applicant shall ensure that all such modifications, and any existing features fitted to the vehicle which reduces its environmental impact are kept in proper working order at all times.
- 3. The Permission is granted to the applicant for the specified vehicle and is not transferable. The Permission will automatically cease to be valid if the vehicle ceases to be under the control of the applicant and it shall then be the duty of the applicant to inform the London Councils Lorry Control Administration section of this immediately in writing.
- 4. The applicant and the driver of the vehicle shall maximise the use of the M25 or other suitable routes outside the Permission Area as an alternative to using roads in the Permission Area. The applicant and the driver of the vehicle shall ensure that the vehicle shall not be driven on restricted roads in the Permission Area during the controlled period, unless:
 - (a) it is undertaking a necessary journey in the Permission Area and:
 - (i) the next planned stopping place is only accessible by a restricted road or roads in the Permission Area where the vehicle is to be loaded or unloaded, or repaired or parked either in a vehicle off-street parking place or on another parking place specifically designated as a commercial vehicle parking place by a Highway Authority; or
 - (ii) the previous planned stopping place was only accessible by a restricted road or roads in the Permission Area where the vehicle was loaded or unloaded or repaired or was parked either in a vehicle off-street parking place or on another parking place specifically designated as a commercial vehicle parking place by a Highway Authority; or
 - (b) the vehicle is being driven on the restricted road because of a local temporary traffic regulation order or diversion or at the direction of a police officer in uniform.
- 5. The applicant and driver of the vehicle shall ensure that, during the controlled period, if it is essential that the vehicle uses roads in the Permission Area, the vehicle minimises the use of restricted roads **unless a route is specifically agreed with the London Councils Lorry Control Administration section.** To this end, the applicant and the driver of the vehicle shall ensure that the vehicle:

* In December 2009 a new Traffic Order was made which amongst other things replaced the term "Permit" with Permission. All references in the original conditions to "Permit" should therefore be read as "Permission". Similarly references to "Permit" on traffic signs should be read as "Permission".
Revised December 2009

- (a) does not leave the excluded roads until as near as practicable to the planned stopping place in the Permission Area; and
- (b) takes the shortest practicable route from a planned stopping place either to the nearest excluded road or to the next planned stopping place if this results in the vehicle being driven a shorter distance in total on restricted roads.

If a specific route has been agreed with the London Councils Lorry Control Administration section, the applicant and the driver shall ensure that the vehicle follows the agreed route.

- 6. The applicant shall ensure that the driver using the vehicle in the Permission Area during the controlled period has with him a document or documents showing clearly the planned stopping places within the Permission Area. These shall be shown by the driver to any authorised officer of the Committee on request. For a period of four weeks after a vehicle journey is made the applicant must be capable of substantiating the need for a vehicle being on a restricted road at any particular time and place. Documentary evidence shall be produced on request to any authorised officer of the Committee to substantiate such a vehicle journey.
- 7. The London Councils Lorry Control Administration Section shall be notified by the applicant of any material change in operating practices specified on the application form or in any accompanying correspondence which could affect the conditions under which the Permission is granted.
- 8. To eliminate avoidable noise, and reduce avoidable environmental intrusion the applicant and driver shall, so far as is practicable, ensure that all loads and equipment carried in or on the vehicle are firmly secured (and if necessary padded) and the vehicle parts and equipment including chains, tailgates and doors are maintained in good order and properly used.
- 9. Every practical effort shall be made by the applicant and driver to minimise the noise of refrigeration equipment particularly when the vehicle is parked. Half power switching shall be used as much as possible.
- 10. By the date specified in the Schedule the applicant shall reduce the noise emission from the vehicle as specified in the Schedule.

(Note: requirements for vehicle noise emission reduction will be guided by the current EU standard from time to time).
- 11. By the date specified in the Schedule the applicant shall minimise the noise emitted by the air brake system by fitting equipment, or its equivalent, specified in the Schedule.
- 12. The applicant shall implement driver training procedures and fleet management techniques which will have the effect of achieving significant environmental improvements.

(Note: Guidance Note No.2 gives guidance on some measures that have been identified as contributing to improved performance).
- 13. The applicant and the driver of the vehicle shall co-operate in assisting any authorised officer of the Committee in the reasonable exercise of his/her duties in checking whether the vehicle has been modified and/or is being operated in accordance with the Conditions.
- 14. In the event that any Permission is revoked or suspended it is the duty of the applicant to inform the London Councils Lorry Control Administration Section of this immediately in writing.
- 15. An applicant shall bring to the attention of the driver of the vehicle all Conditions subject to which a permit has been issued. However, nothing in the preceding part of this Condition removes the applicant's responsibility for compliance with Conditions.

These Conditions were adopted by the London Councils, Transport and Environment Committee, formerly known as the Transport Committee for London, on 31/3/2000. They apply to all permits issued, or permissions granted as the case may be, after that date.