



Our Ref: 11137/MW/sh
Your Ref: 13226/app/2012/2185
Email: mwoolner@firstplan.co.uk
Date: 21 December 2012

Mr Karl Dafe
London Borough of Hillingdon
Planning, Environment & Community Services
Civic Centre
High Street
Uxbridge
Middlesex, UB8 1UW

Dear Mr Dafe,

PLANNING APPLICATION REF: 13226/APP/2012/2185
FORMER POWERGEN SITE, NORTH HYDE GARDENS, BULLS BRIDGE, HAYES, UB3 4QR
RESPONSE TO CONSULTATION COMMENTS

Following receipt of the various consultation responses, we write to respond to the comments and provide further clarification and information on the application proposals.

As you know, we are yet to meet to discuss the proposals and in the light of this response we welcome the opportunity to meet with you and your colleagues early in the New Year. We remain confident that the application proposals offer the best possible use for the site, complying with the strategic policies set out in local, regional and national planning policy guidance documents.

We have acknowledged each of the issues raised in the various responses and address each of these in turn below. Where matters are dealt with in supporting reports (noise, highways, air quality etc), reference is made to the relevant document.

In summary, the following documents are provided:

- This cover letter providing an overview of our response, together with the following appendices:
 - o Appendix 1 – Industry press article, regarding the LOHAC Contract;
 - o Appendix 2 – Recycling Statistics from FM Conway's Dartford Facility;
 - o Appendix 3 – Zero to Landfill brochure;
 - o Appendix 4 – Quiet Transport Award – November 2012;
 - o Appendix 5 – FM Conway in-house Noise Test Paper;
 - o Appendix 6 – Drawings from Former Power Station Use
- Letter and annexes, dated 21 December 2012, prepared by Environ:
 - o Annex 1 - Air Quality Impact Assessment Addendum Report;
 - o Annex 2 - Noise and Vibration Impact Assessment Addendum Report
 - o Annex 3 - Environment Agency Correspondence
- Transport Assessment Addendum, dated December 2012, prepared by WSP.

Material Changes to Planning Policy

We note that since submission of the application, in September 2012, the London Borough of Hillingdon (LBH) Local Plan has been adopted (November 2012). This contains, like all policy documents, strong support for proposals such as this that facilitate the recycling and reuse of materials and limit the amount of material sent to landfill. We trust the relevant policies will be fully considered when officers make their assessment of the proposals. It is pertinent that Policy PR10, from the UDP, is retained following the adoption of the Local Plan.

Need for the Proposals

Since the application was submitted, the applicant has been awarded, through a competitive tender process, a contract within the north-west sub-region of London (London Boroughs of Hounslow, Hillingdon, Ealing, Barnet, Brent and Harrow). This 8 year London Highways Allegiance Contract (LOHAC) will ensure FM Conway (in conjunction with AECOM), will provide highway services for the TfL network in this sub-region.

An article from the industry press, dated 15 November 2012 is appended to the letter at Appendix 1. This confirms that, across London, 12 Boroughs are expected to utilise the contracts for their own range of maintenance services, including Reactive, Emergencies, Schemes, Lighting, Tunnels, Structures, Horticulture, Design, Winter Maintenance, Traffic Management etc. The combined use of the site for TfL and Local Authority services will maximise the effectiveness of and ensure the full use of the application site.

APPENDIX 1

So far as we are aware, FM Conway has the strongest ethos of reclaiming materials, and this will, in turn, ensure the maximum quantities of material can be recycled, rather than sent to landfill. Indeed, the alternative operators which did not win the contract (including Enterprise Mouchel and Balfour Beatty) have no in house recycling facilities (to the applicant's knowledge). This new sub-regional contract therefore provides an added impetus for development of the application site.

Clarifications

We note that a number of the consultation responses make reference to residential moorings / house boats on the Grand Union Canal, Paddington Branch (GUC, PB). Our understanding is that these are leisure moorings only. However, we have assumed they are occasionally used for overnight stays and appropriate mitigation and enhancements have been incorporated on this basis.

We note the Canal and River Trust's response which confirms that there are leisure moorings for a maximum of 15 craft (currently occupied by 11) on this part of the canal. Whilst the same response from the Canal and River Trust goes on to state that '*some of the moorings may even have 10 years of established use*' we, like the Canal and River Trust, and indeed the Council, are not in a position to confirm this. Accordingly the current classification as leisure moorings remains, in our view, the correct planning interpretation for the purposes of determining the application.

GLA Response

We are pleased to see that the Stage 1 response from the GLA (dated 31 October, ref: PDU/0257b/05) broadly supports the proposals, subject to some clarifications and additional information. The majority of this is dealt with in the Environ reports, together with the highways addendum report from WSP.

With regards to matters not covered by these documents, these are addressed below.

i) Waste

We welcome the GLAs confirmation that the proposal will contribute to meeting the Borough's waste apportionment and the Mayor's recycling targets. This demonstrates the strong sustainable benefits of the proposal, which, at a strategic level at least, are recognised and supported.

With regards to the clarification sought by the GLA in relation to how the material generated both in the construction and operation phase will be moved up the waste hierarchy, the applicant has confirmed the following information (it is accepted that further information will follow in a complete Site Waste Management Plan assuming planning permission is granted):

Construction Phase

- *Any and all recoverable secondary aggregates on site will be used when the site is re-graded and/or capped.*
- *The site will be capped with recycled type 1 material, and recycled aggregates will be used both in concrete and asphalt pavements.*
- *Building materials will be procured locally and/or from sustainable sources. Refer to Sustainability Assessment for details.*
- *Skips will be on site to sort/separate all waste streams (wood, plastic, metals etc) that would then be sent off site for recycling.*

Operational Phase

- *The whole company philosophy is "Zero to Landfill". This will continue, whilst at the same time we will continually strive to derive greater value from the recycled materials in higher value products, such as concrete and asphalt. The company's closed loop recycling is unique and sets it apart from its competitors (and is, in part, why we secured the LOHAC contract – see above referred to above). Further information is contained within the FM Conway brochures submitted with the application and attached again for completeness (see Appendix 2).*
- *Working with the Local Authorities and other clients we can demonstrate how all pavement infrastructure, whether a single kerb or a whole precinct or road section, can be recycled and re-used avoiding landfill. It is a complete package backed up by auditable trails. Where any material is identified as not fit for recycling (such as clay bound soils or clay) then it would not be sent to the facility at Bulls Bridge, but sent elsewhere for recycling/treatment or to Landfill. This will ensure the facility at Bulls Bridge can recycle and re-use the vast majority of inbound material (with the exception of non-aggregate based materials such as wood, litter, plastic etc).*
- *Working with the Local Authorities the applicant is identifying and recycling greater quantities of higher grade road surfacing. In other words where a road surface course is known to have used high psv aggregate this is identified and recycled so it can be re-used in a similar application rather than as a base or binder layer.*

To support the information above, attached at Appendix 2 are recycling statistics, from FM Conway, for 2009/10 and 2010/11 from the applicant's existing facility at Dartford. In addition, at Appendix 3, is FM Conway's company brochure 'Zero to Landfill', which sets out the company's ethos in this regard.

APPENDIX 2 & 3

ii) Employment

We are pleased that the GLA welcomes the creation of up to 79 new jobs, which is a priority within the Preferred Industrial Locations (PIL). This is a significant benefit of the proposals.

iii) Urban Design

The GLA's comments regarding urban design, tall buildings and views are welcomed. Of particular note is the last sentence of paragraph 27, which states:

“However, the proposed mitigation, which includes the use of light materials and colouring and the slender massing of the tower, would ensure that although there is an impact, it would be acceptable in a strategic context.”

Environment Agency

A detailed response is provided by Environ in the supporting documents and a copy of the relevant document should be passed to the EA as soon as possible.

Noise / Air Quality

We welcome the most recent response from Mr Islam (Principle EHO at LBH), dated 12 November, 2012, which confirms that following his review of the noise report the proposed mitigation measures are satisfactory and the Environmental Protection Unit has no objections to the proposals.

Notwithstanding this, all other comments relating to the impact on existing noise and air quality levels in the locality are dealt with in the support technical addendum documents prepared by Environ. This includes comments made by Environmental Health Officers at LBH, together with comments from the GLA and other parties.

In support of the attached responses, I also enclose an article, at Appendix 4, highlighting the applicant's attitude towards minimising noise emissions from its operations. The article confirms that FM Conway won the 'Enterprise in Quiet Transport Award' at the John Connell Awards on 6 November 2012. The awards, held by the Noise Abatement Society,

“recognise organisations that have demonstrated outstanding efforts to reduce the impact of noise nuisance. The Enterprise in Quiet Transport Award is given in recognition of exemplary transport and delivery schemes working for the public benefit.”

This recent award demonstrates the applicant's continued determination to minimise noise emissions.

A summary report of a further in-house study is also provided at Appendix 5. This relates to the use of different vehicles and concludes that the new fleet which FM Conway has recently purchased is much quieter in all operations than other vehicles in the fleet. It is proposed to use new vehicles only at the application site and this further demonstrates the applicant's efforts to minimise noise generation wherever possible.

APPENDIX 4 & 5

Land Contamination

The supporting information from Environ targets the comments received regarding land contamination at the site.

Highways

Comments have been received from both TfL and LBH Highways Department. WSP has produced an addendum transport assessment to address both sets of comments. This is included with the supporting documents.

Natural England

We note the comments received from Natural England, although these are dealt with in the Ecology Statement submitted with the application.

LBH Conservation and Urban Design

The attached response from Environ deals with the majority of comments received, however, we also provide further information below.

i) Previous Uses

It is noteworthy that since submission of the application we have retrieved more information on the former use of the application site and surrounding area. It is set out in the Heritage Statement that industrial uses have been prevalent for many years in this area. However, research into the former use of the site as a power station shows the extent of this use. This is summarised below.

Planning permission was granted on the 13th October 1972 on the 9.3 hectare (23 acre) site for a gas power station, the main elements of which comprised:

- Gas turbine generator – with 4 large turbine halls (with an approximate height of 10.8m)
- Ancillary and auxiliary plant (including cables) – with a maximum approximate height of 18m)
- Building and engineering works – cable and road bridges
- Chimney with eight flues – approx. 296ft (90.2m) (from ground level)
- 4 Gas storage tanks (approx. 40ft (12m) high x 90ft (27m) in diameter) and associated connecting pipes (*on the application site*)
- Fuel was delivered to the site on a frequent basis by rail and pipeline.

The power station covered a significant area, including what is currently the British Airways site, and the gas storage tanks covered a large proportion of the application. A copy of a relevant plan and elevation drawing are attached at Appendix 6.

APPENDIX 6

We accept that this use ceased some time ago. However, it serves to demonstrate the long-standing industrial use of the site, and indeed the significant size and scale of the previous uses. The most significant element of the power station was the approx. 90m tall chimney, although this was located in what is now the British Airways site. However, this will have undoubtedly dominated the skyline in this area. The gas storage tanks, located on the application site, are however also of significant scale, occupying the majority of the southern part of the site, and in closest proximity to the heritage assets at the Bulls Bridge junction of the Grand Union Canal.

Of course, the very fact that the Bulls Bridge Industrial Estate (a Preferred Industrial Area) has developed around the Grand Union Canal, following its northern bank, to both the east and west along the Paddington Branch, confirms the historic relationship between the canal and industrial uses. The canal was built to transport materials for industry. It, together with the area, as demonstrated by the last significant use of the site, possesses a strong industrial heritage and the application proposals will continue this relationship. The proposals are therefore entirely in character with the heritage of the area, and indeed the canal itself.

ii) Benefits of the Scheme

The comment in the last paragraph of the response states that the proposals should be considered for refusal on conservation/listed building grounds *“unless it can be argued that the public benefits on the scheme, particularly with regard to recycling/sustainability, outweigh the harm to the setting of the Bulls Bridge CA and associated historic assets”*.

Having considered the proposal as a whole, including the range of mitigation measures and enhancements incorporated on and off-site, together with the wider benefits which arise, not just for the public, but for all London road users, the Local Authorities, TfL, the GLA, as well as the significant environmental and economic benefits, we consider the proposals satisfy this test and planning permission should be granted. In short, the proposals are, in our view, in the general public interest.

Indeed, this position is summarised by Paragraph 65 of the NPPF, which states:

“Local Planning Authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about compatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits)”. [our underlining]

iii) Conditions

The comments regarding the colour and finish of the boundary wall, which comprises the rear of the aggregate storage bays, will be considered further, as will the suite of materials and colours across the remainder of the site, and it is considered appropriate to agree the details by condition. As such, we look forward to discussing this, and other matters raised above, with the Conservation and Urban Design Officer, in the New Year.

Tree and Landscape Planning

The asphalt plant is a large structure, but this is an operational requirement for the applicant. In the interest of minimising the overall visual impact of the proposal, the asphalt plant has been split so the asphalt storage facility is located alongside the asphalt production plant. This significantly reduces the height of the structure whilst ensuring that the operation remains highly efficient and sustainable. Indeed the plant as shown is as small as it possibly can be. This is discussed further in the Design and Access Statement and the TVIA.

In this context, we maintain that the proposals are acceptable and that planning permission should be granted and we welcome the opportunity to discuss the suggested conditions set out in the response.

Access

We confirm that, wherever feasible and possible level, disabled compliant access will be provided to the office buildings. However, the applicant points out that the weighbridge building is small due to its location between the access and egress for the site. The applicant has a range of operational requirements for this space and we are therefore concerned that the provision of disabled access in this area will make the space unusable.

The applicant is able to provide level access to the office building where space is not so restricted. With regards to access to the first and second floors, it is not considered necessary to provide a DDA compliant lift. Office facilities will be spread across all three floors. However, the majority of utilised space, including toilets and kitchen/staff room can be located at ground floor level. As such,

suitable provision can be made for any disabled employees without the need for a DDA compliant lift.

We are happy to discuss this further with the LBH access officer and/or agree by condition.

Canal and River Trust and Inland Waterways Association

The comments received from both organisations seek to maximise use of the Grand Union Canal. This is something the applicant is open to, subject to feasibility and viability. This explains why, at this stage, it cannot and does not form part of the application proposals.

Accordingly the applicant is unable to commit to use of the canal at this stage, but remains open to the possibility. Assuming planning permission is granted, and the site is operational, this is something the applicant will consider in the future once the feasibility of using the canal is known.

With regards to the additional comments from the Canal and River Trust, we note their acknowledgment that the site is located within an existing industrial area. We also appreciate their clarification on the moorings. However, this does not alter our interpretation of the planning status of the moorings, which is set out at the start of this letter.

Finally, as set out above, the applicant is open to discuss the proposed off-site enhancements and mitigation which may be sought to minimise the impact on the Grand Union Canal, Paddington Branch and this will form part of the discussions with the LBH Section 106 officer.

Third Party Comments

We note that there have been few third party objections. There are some misconceptions about the proposals, and indeed the site and surrounding area (reference to residential rather than leisure moorings for example) and these are clarified in the various responses, as well as above.

We reiterate that the proposals provide a use for a currently vacant and derelict site, in an industrial and commercial setting, protected for such uses. It is supported by planning policy, at all levels, ensuring the recycling of significant quantities of reclaimed highway/pavement material, which would otherwise end up in landfill. Furthermore the proposals will result in the generation of up to 79 jobs. This is a significant benefit in the current difficult economic times.

In this context we are confident that these proposals offer the best viable option for the site.

We trust that third parties will be made aware of the additional information provided in due course.

LB Hounslow and LB Ealing Comments

We note that no objection is raised by either Local Authorities. With regards to LB Hounslow comments relating to the moorings along the Grand Union Canal, Paddington Branch, I would request that you refer to the information set out above which clarifies the planning status.

MOD / Crossrail / NATS

We note that no objection is raised by any of the above.

Section 106 Contributions / CIL

We note the comments from LBH's S106 officer. The applicant is happy to discuss at a meeting the likely contributions that are sought, directly related to the development, and fairly and reasonably related to the scale and kind to the development.

Conclusions

The information set out above, together with that included in the attached responses, demonstrates that the applicant has considered all responses fully and sought to address the concerns raised.

The proposals, when tested against policy and land use considerations, represent a suitable option for the application site, offering a sustainable aggregate recycling and asphalt production facility which will serve LBH and the surrounding boroughs. It is therefore of strategic and local importance, and will provide a west London facility for the applicant and will have significant benefits for the wider London highway network and the London-wide recycling and sustainability targets.

The proposals are fully supported by all levels of planning policy and the application site is located in an area dominated by large scale industrial and commercial development, and is well placed to accommodate a development of this nature. Indeed, the site is protected for this use. The fact that the application proposals comply with planning policy requirements, but also offers other significant, far reaching, benefits, is a further reason why planning permission should be granted.

The applicant's own credentials, being an industry leader in all senses, but particularly in terms of its ability to recycle and reuse all materials, is a major benefit of the proposals.

The supporting technical reports accept that there will be some impact on the immediate locality, however, the wider benefits significantly outweigh these concerns. Furthermore, through the use of mitigation, on and off site enhancements, a range of conditions and associated environmental permits and controls, the proposal will co-exist with the surrounding uses, and respect the amenity currently enjoyed by these uses.

I trust you have everything required to consider the application further and I look forward to hearing from you about a meeting to discuss the proposals with you and your colleagues in the New Year. Should you require anything further please do not hesitate to contact me or Sam Harper.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Mike Woolner".

Mike Woolner
Director

Enc.

Cc Andrew Hack - FM Conway Ltd
 Michelle Wheeler - Environ

APPENDIX 1

Fallon warns top contractors over payment

PAYMENT

Construction minister Michael Fallon has written to the UK's biggest contractors warning they will be named and shamed if they fail to sign up to the Prompt Payment Code.

This intervention follows a commitment to clamp down on big banks that do not lend to construction firms, made in an interview with *CN* after his appointment.

He said: "Late payment causes real cashflow problems for entrepreneurs. It stops them from growing their business - we need to change the culture."

"Too many of our biggest companies are ignoring the Prompt Payment Code. My message to them is clear: make prompt payment a priority or face the consequences of being named. "I'm confident that driving up support for the common-sense principles in the code will have a very positive effect."

Currently there are 1,182 companies signed up to the Prompt Payment Code, but only 27 FTSE 100 firms and five FTSE 250 companies are signatories.

Among the construction firms signed up to the code are Balfour Beatty, Miller and Skanska. Failed firm Rok was also among those to have signed up.

The FTSE 250 firms contacted by the minister include Galliford Try, Interserve and Kier.

All signatories of the Prompt Payment Code are already publicly available online, but the government wants to be more proactive in highlighting those companies that are not committed to the code.

The government is also advising businesses to agree payment terms before delivering orders and make use of Supply Chain Finance schemes, which allow banks to offer loans to businesses when an invoice has been approved from the supplier.

Four win London roads deals

Major contractors miss out on contracts worth up to £2.6bn over eight years

CONTRACTS

TOM FITZPATRICK

tom.fitzpatrick@emap.com

London highways contracts potentially worth £2.6 billion have been awarded to four firms, with Balfour Beatty, Costain and Skanska among those to miss out.

Transport for London and London boroughs have awarded four area-based joint highways contracts, which will be worth up to £1.2bn during the next eight years and will apply to all new TfL Road Network highway contracts from April 2013.

The winners are CVU - a Colas, VolkerHighways and URS joint venture; a Conway Aecom joint venture; EnterpriseMouchel; and Ringway Jacobs.

Ten bidders were shortlisted for the works in February but the following top firms have missed out on the lucrative work: Amey; Balfour Beatty Living Places; MGWSP (May Gurney/WSP);

Skanska Construction UK/Project Centre; Costain-J Murphy & Sons-Capita Symonds; and a Balfour Beatty-Hydr Consulting JV.

Up to 12 London boroughs are expected to utilise these contracts for a range of maintenance services from April 2013.

Further contracts are expected to be delivered under the

THE WINNERS ARE...

■ CVU (Colas, VolkerHighways and URS JV) - central area, covering roads in Camden, City of London, Southwark, Tower Hamlets, Hackney, Lambeth, Wandsworth, Hammersmith & Fulham, Royal Borough of Kensington & Chelsea, Islington and Westminster.

■ Ringway Jacobs - north-east area, covering roads in Havering, Barking & Dagenham, Redbridge, Newham, Waltham Forest, Haringey and Enfield.

■ Conway Aecom JV - north-west area, covering roads in Hounslow, Hillingdon, Ealing, Brent, Harrow and Barnet.

■ EnterpriseMouchel - south area, covering roads in Bexley, Greenwich, Lewisham, Bromley, Croydon, Sutton, Merton, Royal Borough of Kingston-upon-Thames and Richmond-upon-Thames.

12

London boroughs expected to use these contracts



framework as additional boroughs' individual contracts come up to renewal and TfL funds more major borough road schemes. The total value of contracts could hit £2.6bn.

TfL said the frameworks could save up to £450 million during the next eight years, helping to drive through more than £2bn of investment in road infrastructure.

The savings are expected to be achieved by avoiding expensive tendering costs and through better working practices, co-ordinated working and better use of resources, plant and fleet.

TfL has also written guidance into the Local Implementation Plan that boroughs will be expected to use the arrangements where they represent better value than existing deals.

The new frameworks were developed jointly by TfL and the London boroughs and will cover both maintenance and the design and construction of new schemes.

The frameworks can for the first time apply to all roads across London. Until now, highways works have been carried out by a large range of contractors.

The frameworks cover a total of

23 services, including lighting, winter maintenance and safety inspections, meaning clients do not need to take the whole range of services and can choose which elements will deliver the greatest benefits.

TfL director of roads Dana Skelley said: "These contracts will allow us to deliver this work in an efficient manner through joined-up working with other London highway authorities, ensuring greater value for money."

@CNTomFitz

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APPENDIX 2

FM Conway Recycling Statistics 2009/10

Materials recycled/stockpiled

Highway Arisings recycled through Dartford Crusher/Washer	190,375 tonnes
Highway Arisings processed at Erith	14,969 tonnes
Asphalt Planings stockpiled for future recycling in low energy asphalt	38,759 tonnes
Gully Waste recycled through DTP	14,421 tonnes
Metals recycled	141 tonnes
Plastics, Timber, Paper and cardboard recycled	358 tonnes
Hydrocarbons recycled	396 gallons
Gullies emptied and recycled	1,004,017 gullies
Water recycled	7,210,575 litres
l/t@ 50% water x 1,000	

CO2 savings from recycling of Aggregates

(compared with waste going to landfill and using virgin aggregates railed in to London)

CO2e	219,765 tonnes @ 26.91127 kg/tonne	5914143.95 kg CO2e
To absorb this much CO2 from the atmosphere, you would need to plant		246,423 trees
(Each tree absorbs 24kg per annum on average - information from EcoSwitch.com endorsed by NASA and the Kyoto Protocol)		

Also saved by our recycling were:

Vehicle Miles 219,765 tonnes, 20 t loads, 28.8 miles	316,461 vehicle miles <i>10,988 loads (reducing road congestion)</i>
Rail Miles 219,765 tonnes 2,000 t loads 210 miles	23,075 rail miles <i>110 train loads (freeing rail slots for passenger trains)</i>

FM Conway Recycling Statistics 2010/11

Materials recycled/stockpiled

Highway Arisings Recycled through Dartford Crusher/Washer	199,996 tonnes
Highway Arisings processed at Erith	30,820 tonnes
Asphalt Planings stockpiled for future recycling in low energy asphalt	13,452 tonnes
Gully Waste recycled through DTP	17,120 tonnes
Metals recycled	135 tonnes
Plastics, Timber, Paper and cardboard recycled	372 tonnes
Hydrocarbons recycled	451 gallons
Gullies emptied and recycled	650,000 gullies
Water recycled	7,140,537 litres
l/t@ 50% water x 1,000	

CO2 savings from recycling of Aggregates

(compared with waste going to landfill and using virgin aggregates railed in to London)

CO2e	247,936 tonnes @ 26.91127 kg/tonne	6,672,273 kg CO2e
To absorb this much CO2 from the atmosphere, you would need to plant		278,011 trees
(Each tree absorbs 24kg per annum on average - information from EcoSwitch.com endorsed by NASA and the Kyoto Protocol)		

Also saved by our recycling were:

Vehicle Miles 247,936 tonnes 20 t loads 28.8 miles	357,028 vehicle miles <i>17,851 loads (reducing road congestion)</i>
Rail Miles 247,936 tonnes 2,000 t loads 210 miles	26,033 rail miles <i>124 train loads (freeing rail slots for passenger trains)</i>

APPENDIX 3



FM Conway has become the UK's leading Highway recycling company, through the long term commitment and drive of Michael Conway, and a desire to deliver the most sustainable service possible for the company's clients.

In July 2010, Michael publically committed FM Conway to



and we are achieving over 95% in early 2010.

FM Conway Recycling Facility

Key Fact

FM Conway recognises that construction operations have significant impact on the environment.

We have addressed these impacts through innovative solutions demonstrated throughout this document, and it is that which separates us from our competitors.

Our Recycling Facility at Dartford, the most technically advanced facility in Europe, has the capability to

recycle over 200,000 tonnes of highway arisings

that we excavate from sites and bring back into our yard each year.

Materials are kept segregated on site and brought back to our site at Dartford where they are placed onto separate stock piles to await processing into sub base materials and converted into concreting aggregates and base course materials that comply with the WRAP quality protocol.

We also recycle the waste from over 1,000,000 Gully Cleansings, recycling aggregates, sand, hydrocarbons, organics, scrap metals and water they contain.



Arisings brought back over the weighbridge into our recycling facility



Arising fed into our static crusher housed in an acoustic silenced building





Processed through our comprehensive wash plant and screening plant

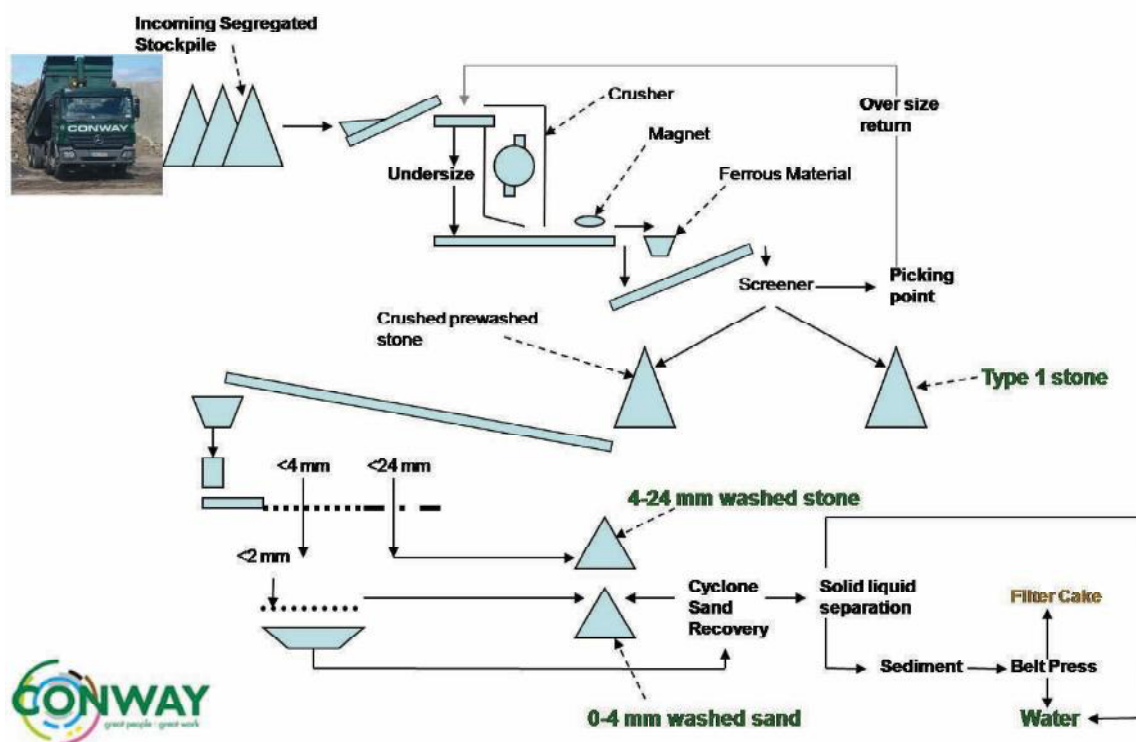


Output as Type I, and Concreting Aggregates



Delivered in Volumetric Concrete Mixers and Grab Loads of Aggregates

Aggregate Recycling and Wash Plant Operation



Our facility at Dartford also houses the company's unique Drainage Treatment Plant which is capable of

treating 30,000 tonne of drainage waste per year

and produces water for our aggregate washing and concrete production as well as providing a percentage of the fine aggregates via our wash plant.

We recycle over 9 million litres of water each year.

Recycling Gully Waste – FM Conway operates a state of the art Gully Waste Recycling Plant at our Dartford depot, which as part of our overall recycling facility achieves a 95% recycling record for everything that comes over the weighbridge. Annually we cleanse over 1 million gulleys across London, the South East and the East Midlands.

The company's unique Drainage Treatment Plant is designed to process and treat drainage waste and to render its constituents safe and suitable for reuse in a variety of applications. Previously all drainage waste was disposed of in landfill but now less than 5%, mainly litter, necessitates this kind of disposal, and we are actively working on recycling solutions for this minor fraction too.

The plant is capable of treating 30,000 tonne of drainage waste per year, thus diverting it from a rapidly reducing number of landfill sites that are licensed to accept it. This innovative solution to the treatment of drainage waste not only reduces the need for long distance transportation to the nearest special waste site but also enables the recovery of valuable aggregates, organics, hydrocarbons and even scrap metal.

The plant also performs another valuable function. Intrinsically linked to the Aggregate Washing Plant (AWP), water required for washing is continually recycled and cleansed as it flows through the Drainage Treatment Plant (DTP) and is then pumped back to the AWP for repeat use. Drainage waste is often up to 50-60% water and this together with a unique system of rainwater collection from the entire site helps to maintain the volume of water needed to satisfy the demand of the AWP, even through periods of hot weather.

The DTP automatically separates all of these constituents. Sand is recycled for use in concrete production. Organics and silt are pressed into a cake format via a system of belt-presses for use in topsoil. Hydrocarbons are recovered and can be used to enhance the calorific value of incinerator fuel. Scrap metal is transferred for scrap. Hypodermic needles are identified and removed for disposal as medical waste. Water is cleansed beyond current legislative levels and recycled within the DTP and AWP system. Surplus water can be utilised in drain jetting activities.



The company believes that the system on which its DTP is based is the only environmentally acceptable method of drainage waste treatment available today. Unfortunately there are still some clients that do not share that principal and continue to landfill gully waste.

It is particularly suited for locations in the urban environment where other known settlement techniques are precluded. The main benefits of this system are:

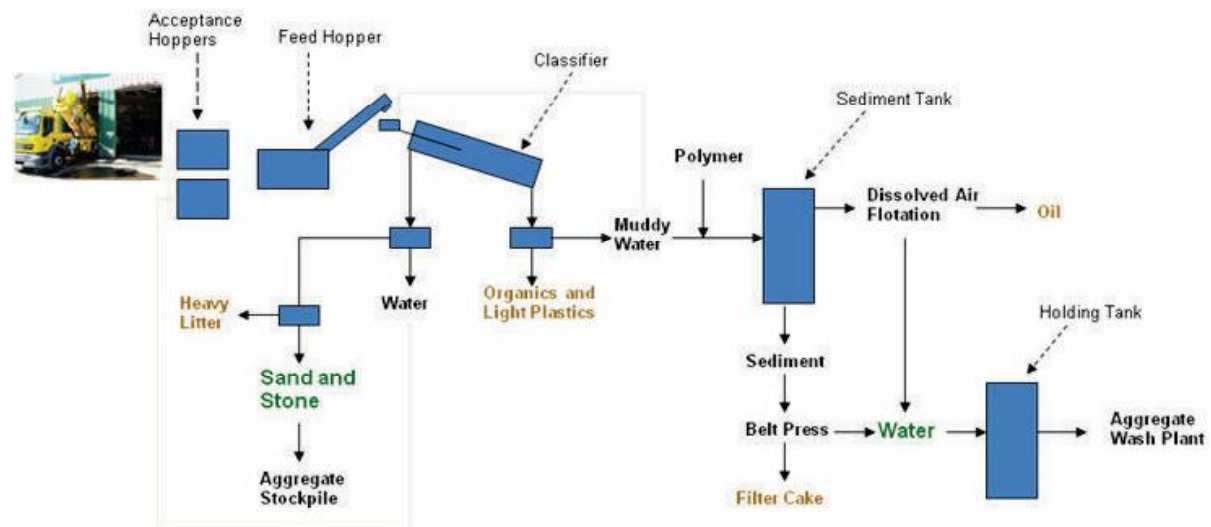
- Environmentally preferred solution to the problem of drainage waste

- Thoroughly cost effective by greatly reducing transportation costs
- 95% of the waste deposited in the DTP is reused facilitating 'Closed Loop Recycling'
- Designed to be virtually silent in operation its location is not site sensitive
- Fully bunded and enclosed the plant is safe and poses no risk of leakage into ground water or water courses
- Improved utilisation and efficiency of cleansing fleet allowing the disposal of drainage waste at any time throughout the working day
- Special on site storage and collection service available for remote locations

This is the only plant of its kind in the UK

and we always welcome the opportunity to demonstrate how it works to prospective clients. It is briefly outlined in the following illustration.

Drainage Treatment Plant Process Flow Diagram



Asphalt Recycling

We have recently invested over £10million in a new “state of the art” asphalt plant at Erith, which came on stream during June 2010, and produces the “greenest” asphalt in the UK, utilising recycled aggregates from our Dartford recycling operation and asphalt plantings.

This plant has been designed to incorporate all of the latest savings in energy when in operation, and is able to utilise alternative fuel technology for drying/heating aggregates.

It operates at low temperatures, offering materials both to British and European Standards and to NHSS I4, as well as cost effective recycled solutions.

Wherever practical on site, we plane asphalt from highways that are to be resurfaced, and these plannings are returned to and stockpiled at Erith for use in recycled mixes.

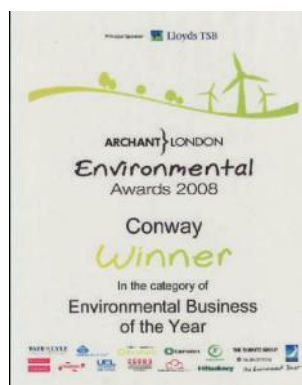


Due to the demand from our clients for greener solutions, and the considerable success of our recycling efforts, FM Conway continues to grow both its Term Maintenance and Civil Engineering divisions.

To meet the demand for recycling, a further site has been acquired at Bulls Bridge, North of Heathrow Airport, where the company plans to build a complete recycling facility that will incorporate all of the above facilities.

As we have learnt much from our existing operation, we will work with our plant manufacturers to ensure that this new facility will have an even greater capacity for aggregate and gulley waste than currently at Dartford, and an identical plant for asphalt to Erith all on one site. This will help to deliver even lower transport costs and CO₂ emissions.

Award Winning Environmental Performance



AWARD FOR ENVIRONMENTAL SUSTAINABILITY IN THE HIGHWAYS SECTOR

HIGHWAYS MAGAZINE
EXCELLENCE
AWARDS 2010

Criteria:

Open to partnership initiatives and /or products that can demonstrate consideration of sustainability on the environment such as: carbon footprint reduction; local environmental benefits; sustainable material use; reduction of Co2; community liaison and consultation.

Sponsored by



HIGHWAYS MAGAZINE
EXCELLENCE
AWARDS 2010

**Winner: FM Conway Ltd -
Closed Loop Highway Waste Management**



Judges comment:

"This is a comprehensive system for recycling – demonstrating that recycling is embedded in the ethos of the company. A very good benchmark for the industry."

FM Conway delivers what it calls "Closed Loop Highway Waste Management" with a Waste Not, Want Not approach.



Short Listed:

Leicestershire County Council & Leicester City Council – Enderby Park & Ride



Enderby Park and Ride is a £9.2 million joint venture setting a new standard of environmental best practice for park and ride schemes. It boasts a low-energy terminus building using ground source heat pump technology and extensive SuDS.

Judges comment:

"A project which demonstrates clear commitment to sustainability with a positive link between sustainable construction and travel."



Short Listed:

Balfour Beatty Major Civil Engineering – A421 Improvements M1 Junction 13 to Bedford



Balfour Beatty's A421 Improvement M1 Junction 13 to Bedford demonstrates fervent commitment to the preservation and enhancement of the local environment.

Judges comment:

"A project which demonstrates a wide appreciation of the whole sustainability agenda."



Highways Magazine Excellence Awards 17

APPENDIX 4

> FM Conway wins Quiet Transport Award



FM Conway has been presented with the prestigious 'Enterprise in Quiet Transport Award' at the John Connell Awards which were held on 6 November 2012.

The award is testament to FM Conway's ambitious project to reduce the noise emissions and associated pollution from its operations. The company has invested significantly in its transport division, with a fleet of new tipper vehicles which incorporate a range of innovative features designed to reduce noise emissions.

Michael Conway, Chief Executive Officer at FM Conway, said: "It is so rewarding to have won this award when you consider that FM Conway is a construction company. The innovative ideas that have been implemented by our transport division to reduce noise emissions incorporate the very latest available technology, making FM Conway's fleet of vehicles one of the best and most advanced in the country."

Held by the Noise Abatement Society, the John Connell Awards recognise organisations that have demonstrated outstanding efforts to reduce the impact of noise nuisance and pioneered innovative solutions to reduce noise pollution. The Enterprise in Quiet Transport Award is given in recognition of exemplary transport and delivery schemes working for the public benefit.

FM Conway's new tippers feature a fully insulated body which provides greatly improved noise reduction, particularly when the tipper is empty. Body locks have been incorporated to further reduce the noise caused by bouncing and rattling and a rubber-sealed split tailboard, which reduces noise during the delivery of materials.

The vehicles have also been fitted with white sound reversing alarms, which have been approved by the Noise Abatement Society and which offer a targeted warning, without creating a more wide-spread disturbance.

The new adaptations far exceed the statutory requirements currently in place for the construction industry, and FM Conway hopes that many of the noise reduction improvements will soon become best practice for the industry.

Gloria Elliot, Chief Executive of the Noise Abatement Society, said: "FM Conway has shown that it is possible to significantly reduce the noise of heavy plant and machinery to minimise disturbance to the public. The large investment that this company has made into these noise mitigating and safety measures is a great example to the rest of the industry. The NAS commends the high standards being set by FM Conway."

The Enterprise in Quiet Transport Award adds to FM Conway's impressive tally for 2012, which includes awards from RoSPA, the British Association of Landscape Architects and the *South East Centre for the Built Environment*, as well as a Green Apple Award and London Transport Award.

APPENDIX 5

Reducing the Noise of Haulage: An Objective Evaluation of the Effectiveness of Lorry Noise Reduction Measures

Background:

Noise has, for many years, been a key consideration for the activities of FM Conway Ltd. In addition to a range of measures taken on site to reduce noise impact on residents, and the measures taken at the company's depots, the company has recently invested in a new fleet of vehicles which incorporate a range of innovative features designed to reduce noise emissions. Heavy Goods Vehicles (HGVs) over 18 tonnes are, currently, prohibited from entering the capital via certain routes during the night and weekends, under the terms of the London Lorry Control Scheme (LLCS).

The new vehicles feature a fully insulated body with additional internal body liners, which provide greatly improved noise reduction over traditional alternatives, particularly when the tipper is empty. Body locks have been incorporated to further reduce the noise caused by bouncing and rattling during transit while the lorry is empty. Additionally, rubber seals are installed on the discharge tailgates to reduce the noise of the tailgate closing.

Objectives of Test:

The purpose of this testing exercise was to make a meaningful evaluation of the improvements in noise level under real working conditions. With reasonable controls in place, a new tipper was to be compared with an older fleet vehicle, to measure and establish the reductions achieved.

Date of Test:

26th October 2012

Locations of Test:

FM Conway yard at Dartford - Loading and Unloading noise tests
Rochester Way, Dartford – Travelling noise tests

Methodology:

Two similar vehicles from the FMC fleet were selected. One, a new Mercedes-Benz Actros eight-wheel tipper truck, the other, a 5-year old Mercedes-Benz Actros of similar specification, but without the new sound-reducing equipment. It should be noted that the older vehicle was, in the opinion of the writer, still of a much higher standard than many tippers currently in use in construction.

1. Each vehicle travelled empty, three times, along Rochester Way, Eastbound before returning to the yard. The noise level was measured as they passed the junction with Denton Road, the bumpiest section of the road.
2. Each vehicle was loaded three times with crushed concrete in the yard at Dartford. The loader driver was unaware of the objectives of the exercise and was instructed to load the vehicle as noisily as possible.
3. Each vehicle travelled loaded, three times, along Rochester Way, Eastbound before returning to the yard.
4. Each Vehicle discharged the load of crushed concrete, three times.

At each stage, sound level measurements were taken, approximately 5 metres from the vehicle. The meter used was a TES1350A Digital Sound Level Meter, serial number 030810222, which had been calibrated on 22-08-2012.

The findings from the exercise are tabulated below.

Vehicle Noise Test		Date:	26/10/2012		Time Started:	09:10	Time Finished:	11:45
Weather:	Wet road, light rain, mild wind		Tested by:		Dave Conway Dan Conway			
Meter Used:	Tes 1350A Digital Sound Level Meter Serial Number: 030810222 Last Calibrated: 28-08-12							
Vehicle	1 (with noise reduction)				2(without noise reduction)			
Registration Number:	GL61 FHA				GN07 BXD			
Vehicle Make:	Mercedes				Mercedes			
Vehicle Model:	Actros				Actros			
	Noise levels - dB(A)							
Conditions	Run 1	Run 2	Run 3	Mean of 3	Run 1	Run 2	Run 3	Mean of 3
1 - Running Empty	84	87	87	86.0	88	88	86	87.3
2 - Loading	88	91	87	88.6	95	95	94	94.7
3 - Running Full	86	88	86	86.7	88	87	88	87.7
4 - Tipping	87	86	87	86.7	87	88	90	88.3

Measured reductions in noise level

1 - Running Empty	1.3 dBA
2 - Loading	6.1 dBA
3 - Running Full	1.0 dBA
4 - Tipping	1.6 dBA

Notes to the measurements:

1. The decibel (dB) is used to measure sound level. The dB is a logarithmic unit used to describe a ratio. Simplistically, having two identical noise sources producing the same noise level will result in an increase of 3dB over that of a single source.
2. The test conditions precluded absolute control over background noise, e.g. other vehicles, wet surface tyre noise, engine noise variations etc. Use of the mean of three readings should "normalise" the results to typical working conditions.
3. The older vehicle used was in better condition, and quieter, than the average vehicle of similar age in use in the industry. During the road tests a number of third-party vehicles, of similar type, were measured, sound levels averaging 92.4 dB(A), and peaked at 96.1 dB(A).

Conclusions:

The sample size used for this exercise was not of sufficient size to make this survey truly scientific. However, it was not the intention to establish the exact actual noise levels for the vehicles, there are far too many variables to be able to implement robust controls, but rather to gain a reliable indication of the differences between the two vehicles. To this end, the survey was successful and a strong pattern of results was evident.

There were small, but consistent reductions in noise measured in travel, both loaded and unloaded, for the new vehicle. The road used did not have sufficient bumps to fully evaluate the improvements for body rattling, and the comparison was against a relatively good, well-serviced vehicle. It was notable that comparison with third-party vehicles running past the test location suggested up to 5dB reduction in sound levels, but it was not known if those vehicles were loaded or empty, and the data cannot be formally included in the analysis.

There was a small, but significant decrease in the noise of vehicle discharge, primarily from the reduction scraping noise in the body as the load moved, but the noise of material impacting upon the solid concrete surface cannot be influenced by vehicle modifications.

The most significant, and irrefutable, reductions were in the noise of loading the vehicles. Consistent reductions of circa 6dB were measured with the new vehicles. To put this measurement into perspective; Four new vehicles could be loaded simultaneously and produce the same noise level as one old vehicle being loaded.

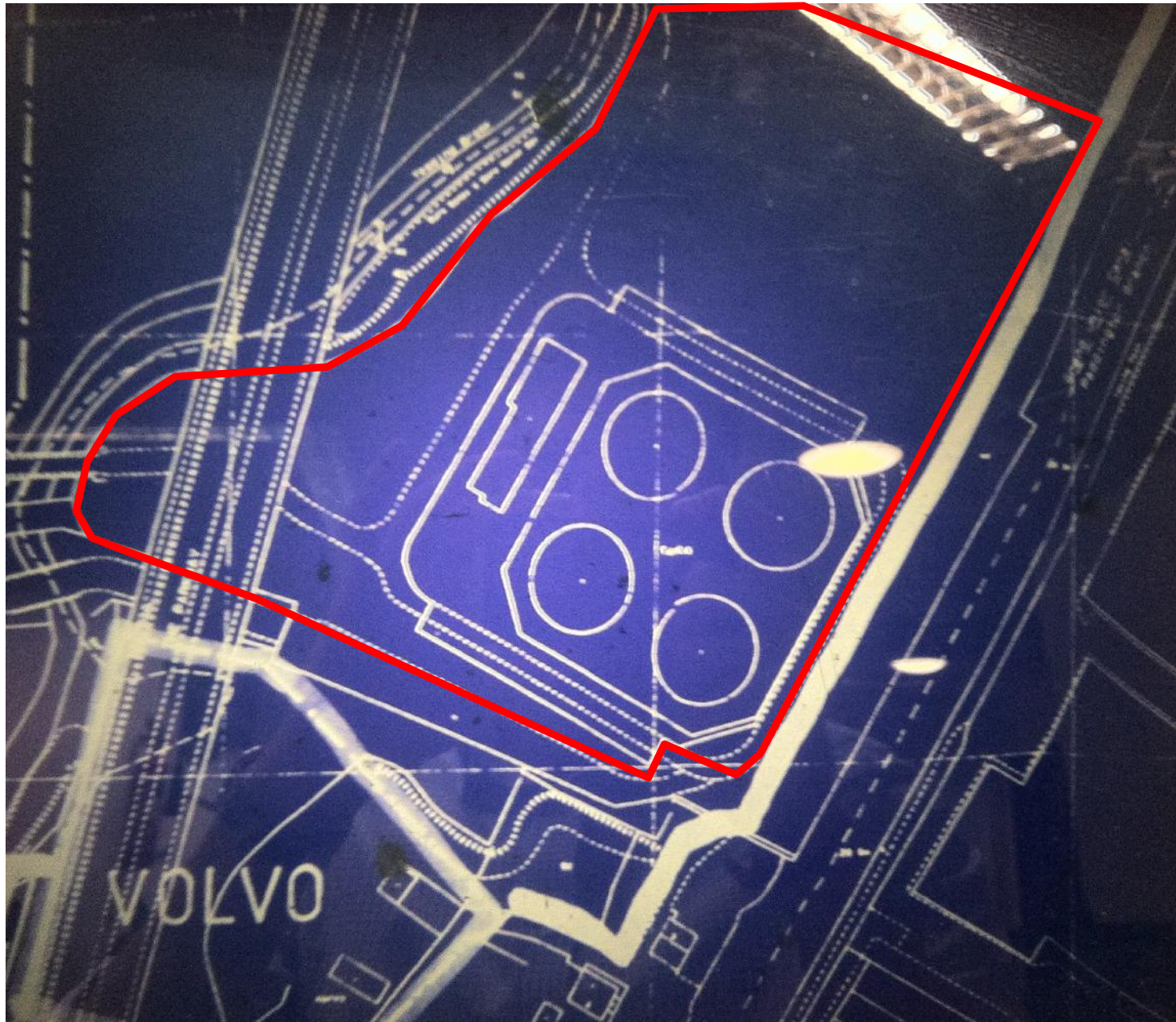
This is a very impressive reduction in noise levels, particularly for local residents during nocturnal, on site, lorry-loading activities.

This survey has provided strong evidence of the overall reductions in noise levels achieved through the package of measures employed by FM Conway to their new tipper fleet.

Authors: Dan Conway, Dave Conway – 29th October 2012

APPENDIX 6

Part of The Former Power Station Located on the Application Site



Elevation of the Structures on The Former Power Station site, Located within the Current Application Site

