

Planning Policy Team,
Planning Policy,
Islington Council,
Town Hall,
Upper Street,
London N1 2UD

16 October 2019

Mobile Tel: 07702314652
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Dear Sir/Madam

Draft Islington Local Plan - Proposed Submission (Regulation 19) Development Plan Documents:

Thank you for consulting CEMEX UK Operations Limited (CEMEX) about the above-mentioned local plan consultation.

CEMEX is a leading global producer and marketer of cement, concrete and other building materials. In the UK it is the leading producer of ready-mix concrete. CEMEX owns and runs the concrete batching plant at King's Cross, Rufford Street, just to the east of the York Way, off Randell's Road. This is a key London concrete batching plant site and serves an important part of the London market in concrete and screed mixes.

This CEMEX site at Rufford Street has been in operation since the 1960s. The site was granted planning permission on appeal, as it was considered that the concrete batching plant operations would not adversely affect the residential amenities of the area.

CEMEX is aware of the existing neighbouring uses and over the years has updated the plant and operations to ensure that it minimises adverse impacts and keeps up with new mitigation measures.

As stated above, CEMEX and its predecessors have run a concrete plant at Rufford Road for fifty years and is an important business in this part of London, supplying the construction market for housing, offices and new infrastructure with concrete and screed. There are very few sites left in London which can accommodate such uses. Many of the future developments outlined in the Islington Plan will require supplies of concrete and screed. If a local concrete plant site is not retained or the operation threatened by sensitive uses, then this could result in increased HGV miles for concrete deliveries with concrete being imported to construction sites from further afield. Similarly, if road user priorities are changed in the local area around the site then this could result in operational difficulties. Concrete needs to be delivered to a site in a short timescale, if the journey time of such trips is delayed this can result in real issues for the quality and usability of the batch. As such CEMEX has the following comments to make on this local plan consultation:

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Registered in England and Wales: Company Number 6658390 Registered Office: Rugby

Policy SP2: King's Cross and Pentonville Road sets out the spatial strategy for this part of Islington. A Central Activities Zone (CAZ) is shown as covering part of the area and the eastern boundary abuts the western boundary of the CEMEX site. As stated in our Regulation 18 comments - CEMEX question the exclusion of the concrete batching site from the CAZ and would like to see it included within this area, because it provides safeguarding for existing businesses. CEMEX consider that as a key established construction activity the site should be included within this policy area. There is no clear reason or explanation why this land has been excluded.

The policy also mentions the four sites which have been identified as potentially suitable for tall buildings over 30 metres. Three of these four sites neighbour the CEMEX Rufford Street site. Separate comments are made on these neighbouring sites below – but Islington Borough in promoting the sites for tall building, should consider the existence the CEMEX concrete batching plant site and also the Agent of Change Policy – which may influence the use and design of any development on these sites.

Figure 2.3 identifies the Randell's Road vicinity for improved connection across the area. Whilst CEMEX welcomes improved connection - any improvement for cyclist or pedestrians must accommodate and make provision for the existing HGVs turning into and out of the concrete batching plant site. CEMEX puts health and safety as a very high priority and is continually working to improve the design of its HGV fleet to increase safety, reduce accidents and reduce emissions. CEMEX would like to be included in any discussions on improved connection around its King's Cross site.

Policy DH5 – Agent of Change. CEMEX welcomes the principle of the Agent of Change Policy contained in the draft submission plan, but CEMEX considers that the policy does not go far enough in addressing the particular issues faced by existing businesses and operations such as CEMEX which are considered to be existing noise generating activities – whether from the site operations or associated traffic. The below points were raised previously but do not seem to have been addressed.

CEMEX has found in London and elsewhere in the country, that LPAs have not ensured that new developers, particularly for residential developments, adequately mitigate their developments from existing noise, vibration and emission's, despite CEMEX objecting to proposals on these grounds. Such mitigation may mean no opening windows or vents, no balconies and no sleeping or living accommodation overlooking or facing the site. The installation of mechanical ventilation may also need to form part of the new development close to such existing uses. Without LPAs ensuring proper mitigation measures are in place and implemented by developers for new sensitive developments, the then new occupants of such sites can threaten the closure of these sites under nuisance laws.

Policy DH5 – in clause B describes new development being located close to sensitive uses – but does not reflect the fact that new sensitive uses may try to be developed alongside existing noise generating uses. Under the agent of change approach and in particular, this policy it is the developer introducing the sensitive use into the existing environment – and so if they require planning permission to be granted they should ensure that the users of their proposed development are properly mitigated from the existing noise environment of businesses such as CEMEX.

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As such Clause C and D need amending to reflect that the agent of change approach may be a developer trying to introduce a use into an existing environment – which needs to be mitigated to ensure that once occupied – the owners or residential tenants are not adversely impacted by the existing operations. Existing established businesses need to ensure that they are allowed to continue to operate.

Paragraph 8.66 reflects the principle that new noise sensitive developments in proximity to an existing noise generating uses must follow the agent of change principle – but this needs to be written into the actual policy to carry weight. This carries less weight when written as supporting text.

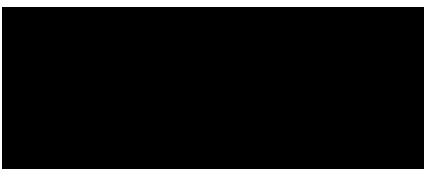
As such CEMEX would like to see Policy DH5 changed to address this and have a clause/s which reflect more closely the draft Policy set out in the London Plan Policy D12.

Site KC1 – King's Cross Triangle. In the constraints and development considerations section reference should be made to the CEMEX concrete batching plant site to the east of this land. It should refer to the Agent of Change Policy. The development considerations make reference to the railway, but should specifically mention the concrete batching plant site and the need for any sensitive development to mitigate against this existing noise generating site.

Site KC2 – 176-178 York Way and 57-65 Randall's Road lies to the south of the CEMEX site. In the constraints and development section reference should be made to the CEMEX concrete batching plant site and the need to mitigate against this existing noise generating Site. As above it should refer to the Agent of Change Policy.

CEMEX would like to reserve the right to appear at any forthcoming Examination in Public and any future consultation on this plan.

Yours faithfully



Helen Hudson
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