

## Minutes

### MAJOR APPLICATIONS PLANNING SUB-COMMITTEE (HS2)

9 October 2018

Meeting held at Committee Room 5 - Civic Centre,  
High Street, Uxbridge



	<p><b>Committee Members Present:</b> Councillors Ian Edwards (Chairman) Eddie Lavery (Vice-Chairman) Nicola Brightman Roy Chamdal Janet Duncan John Oswell David Yarrow</p> <p><b>LBH Officers Present:</b> James Rodger, Head of Planning and Enforcement Ian Thynne, Principal Sustainability Officer Raj Alagh, Borough Solicitor</p>
3.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
4.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
5.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED</b> That: The minutes of the meetings on 12 March 2018 and 10 May 2018 be approved as an accurate record.</p>
6.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
7.	<p><b>TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED IN PUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items would be considered in public.</p>
8.	<p><b>MERCK SHARPE DOHME (MSD) SITE OFF BREAKSPEAR ROAD SOUTH - 72870/APP/2018/2952</b> (<i>Agenda Item 6</i>)</p>

**Request for approval of lorry routes under condition imposed by Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017 relating to road transport associated with demolition, site clearance and other enabling works at the Merck Sharpe Dohme (MSD) worksites.**

Officers introduced the report and presented the plans to the Committee. The report explained that the application related to lorry routes for large goods vehicles (LGVs) associated with demolitions, construction of a new MSD 'haul' road, ground investigations, new above-ground structures and utility works / diversion activities to the existing MSD, Gatesmead Farmhouse and Oak Farm sites. It was anticipated that, on average, a peak of 160 two-way LGV movements would be generated on a daily basis between September 2018 and January 2019 for the construction of the new MSD road, with a drop in activity to an average level of 80 LGVs per day to June 2019. Thereafter, it was estimated that there would be approximately 24 LGV movements per day until July 2019. The Committee was requested to consider whether it was acceptable for the MSD site to be accessed by 24 or more LGVs per day. When leaving the site, LGVs would be directed onto Breakspear Road South and would enter Swakeleys Road before joining the A40. Members were informed that the A40 was not part of the London Borough of Hillingdon network and fell within the remit of TfL.

Councillors were advised that the role of the Committee was to facilitate the will of Parliament in respect of HS2 whilst taking into consideration the needs of local residents. The application was recommended for approval subject to the informative.

Members expressed concern at the lack of information in the report regarding the potential impact on free flowing traffic in the area, particularly during peak periods. Moreover, concern was expressed regarding the informative which appeared inadequate and weak. Councillors commented that Breakspear and Swakeleys Roads were already heavily congested at peak times and felt the problem would be exacerbated by the addition of lorries entering and exiting the MSD site. Members also expressed concern regarding the potential impact on road safety in the area.

The Borough Solicitor addressed the Committee commenting that the informative failed to establish the mandatory requirements which the proposed developer should observe. It was suggested that concerns regarding the weak informative could be addressed by the imposition of a condition; this was preferable as a condition was fully enforceable under Planning law whereas the current informative was not. Members were informed that Schedule 17, paragraph 6 of the HS2 Act detailed the circumstances under which a Local Planning Authority could impose conditions and stipulated that conditions could only be imposed with the agreement of the nominated undertaker; in this case HS2. It was explained that agreement from HS2 had not yet been secured. The Committee was advised that Schedule 17, paragraph 6 outlined the acceptable grounds for conditions to be imposed; the third of which was particularly relevant in this case - 'to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area.' Members were reminded that the consent of HS2 would be required in order to impose any condition.

The Committee was advised that, should Members elect to impose a condition, possible wording could be as follows:-

*'The Local Planning Authority is satisfied that the arrangements ought to be modified to prevent or reduce prejudicial effects on road safety or free flow of traffic in the local area and subject to HS2 Ltd agreeing to the imposition of a condition to the effect that "prior to the use of the roads which are the subject of the Schedule 17 application, HS2 Ltd in its capacity as nominated undertaker shall submit a traffic management plan*

*specific to the proposed works for this lorry route approval which should be agreed in writing with the LPA. This plan should indicate the measures to reduce the impacts on peak hours' traffic (07:30-09:30 and 16:30-18:30) and include workforce numbers with activity profiles, details of access and egress arrangements at worksites, and general traffic management arrangements. The operation of the roads must proceed in accordance with the agreed traffic management plan",* the Sub Committee resolves to give approval to the Schedule 17 application.'

The Borough Solicitor commented that, should Members be agreeable to the proposed condition, there would be no requirement for the Committee to re-convene to discuss the matter again at a later date.

Councillors welcomed the recommendation but requested further clarification regarding the figures in the report; there appeared to be an inconsistency in the report which mentioned 160 movements on page 8 and 200 movements on page 15. Officers explained that the reference to 160 movements on page 8 referred to the anticipated peak daily LGV movements; whereas the figures on page 15 referred to the number of LGVs expected to use the site on a weekly basis (equivalent to 400 movements per week). It was acknowledged that the submission material from HS2 was inadequate in places and there was clearly a flaw in these figures.

Councillors sought clarification as to how the site would be monitored to ensure that the agreed number of vehicles was not exceeded. It was confirmed that the imposition of the suggested condition would compel HS2 to provide detailed information in this regard. Members commented that an upper limit on the number of vehicles using the site should be agreed in writing; however monitoring this would be challenging. Officers confirmed that contractors would be expected to monitor movements and regularly report back to the Council; this would form part of the traffic management plan.

Members were reminded that, should HS2 fail to agree to the proposed condition, the application would be deemed to be refused.

Subject to the imposition of a condition as worded by the Borough Solicitor, the officer's recommendation was moved, seconded and, upon being put to a vote, unanimously agreed.

**RESOLVED That: the application be approved subject to the addition of a condition as worded by the Borough Solicitor.**

The meeting, which commenced at 6.00 pm, closed at 6.32 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on 01895 250185. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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