



HILLINGDON  
LONDON



# Major Applications Planning Sub- Committee (HS2)

## To Councillors on the Committee

Councillor Ian Edwards (Chairman)  
Councillor Edward Lavery (Vice-Chairman)  
Councillor Nicola Brightman  
Councillor Roy Chamdal  
Councillor Steve Tuckwell  
Councillor Janet Duncan  
Councillor John Oswell

**Date:** WEDNESDAY, 8 JANUARY  
2020

**Time:** 6.00 PM

**Venue:** COMMITTEE ROOM 5 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

**Published:** Monday, 23 December 2019

**Contact:** Luke Taylor  
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This Agenda is available online at:

<https://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=375&MId=3684>

*Putting our residents first*

Lloyd White  
Head of Democratic Services  
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[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

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### Security and Safety information

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### Petitions and Councillors

**Petitions** - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

**Ward Councillors** - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

**Committee Members** - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

### How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;
3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee debate the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

### About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such as the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

# Agenda

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## CHAIRMAN'S ANNOUNCEMENTS

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting 1 - 4
- 4 Matters that have been notified in advance or urgent
- 5 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

## PART I - Members, Public and Press

### Major Applications without a Petition

- 6 Merck Sharpe Dohme (MSD) Site off Breakspear Road, South Harefield - 72870/APP/2019/2598 5 - 16  
30 - 33  
Request for approval of Bringing into Use under condition imposed by Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017 (new private access road to the Merck Sharpe Dohme (MSD) pharmaceutical site).  
**Recommendation: Approval**
- 7 Merck Sharpe Dohme (MSD) Site off Breakspear Road, South Harefield - 72870/APP/2019/2597 17 - 28  
34 - 35  
Request for approval of Plans and Specifications under condition imposed by Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017 (permanent above ground works comprising a road vehicle park, fences and external lighting, ancillary to the new access road).  
**Recommendation: Approval**

## PART I - Plans for Major Applications Planning Sub-Committee (Pages 29 – 35)

## Minutes

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

4 June 2019



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 Steve Tuckwell Janet Duncan John Oswell</p> <p><b>LBH Officers Present:</b> Raj Alagh, Borough Solicitor James Rodger, Head of Planning, Transportation and Regeneration Ian Thynne, Planning Specialists Team Leader Alan Tilly, Transport and Aviation Manager</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 MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED</b> That: the minutes of the meetings dated 9 October 2018 and 9 May 2019 be agreed 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 the item was marked Part 1 and would be considered in public.</p>

8. **WORKSITES TO THE WEST OF HARVIL ROAD AND NORTH OF MOORHALL ROAD HAREFIELD - 74320/APP/2018/3986** (*Agenda Item 6*)

The Principal Sustainability Officer introduced the application which was a request for approval of lorry routes under condition imposed by Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017 for Worksite 1: Land to the west of Harvil Road, south of Dews Lane and north of footpath U34 and Worksite 2: Land to the north of Moorhall Road.

Members were informed that the matter for consideration did not relate precisely to the approval of lorry routes - the Committee was being requested to consider the wider arrangements. The Harvil Road worksite was already in operation and there were another four compounds in close proximity to the site. The Local Authority had expressed three areas of concern in relation to the application:-

- 1) Since the roads in question were busy with fast moving traffic (speed limits of 40 - 60 mph), it was felt that HGVs should not be permitted to turn right into / out of the sites as this would present a danger to other drivers. The suggested solution would be the imposition of a condition restricting ingress and egress to left hand turns only;
- 2) It was suggested that HGV movements be predominantly limited to off-peak periods. A condition had been proposed in relation to the restriction of HGV movements at peak times;
- 3) A condition had been proposed in relation to the monitoring of the sites.

There was a requirement for HS2 Ltd to agree to these three proposed conditions which they had failed to do.

With regard to point 1), Members were advised that HS2 Ltd were broadly in agreement with the Local Authority's proposal but had requested permission for a number of right hand turns at off-peak times. The final condition had yet to be drafted.

In respect of point 2), HS2 Ltd had expressed an unwillingness to accept the imposition of a condition in relation to the restriction of movements at peak times and affirmed that the Local Authority had provided no evidence to support the proposal. No agreement had been reached to date.

With reference to point 3), HS2's response had been unsatisfactory. They had referred to a traffic management plan but there had been no mention of a specific protocol in relation to monitoring and recording.

Since no final agreement on the imposition of the conditions had been reached, HS2 were appealing on the basis of non-determination and a resolution to the impasse was sought from the Committee. It was confirmed that a solution would be achievable in relation to point 1) above, but 2) and 3) had yet to be resolved; it was therefore recommended that the application be refused.

Councillors thanked the officer for his report which was helpful and thorough. They were familiar with the area and commented that it was known to be extremely busy with fast-moving traffic. Members expressed concern that, if the necessary controls were not put in place, the proposal would result in excessive disruption for local residents. Members agreed with the Local Authority's position on the matter and were of the opinion that the additional proposed conditions were essential.

For the purpose of clarity, the Borough Solicitor referred to paragraph 6 of Schedule 17

of the High Speed Rail (London - West Midlands) Act 2017, which stated the following:

"The relevant planning authority may only refuse to approve arrangements for the purposes of this paragraph on the ground that -

.....

The arrangements ought to be modified -  
to preserve the local environment or local amenity  
to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or  
to preserve a site of archaeological or historic interest or nature conservation value, and are reasonably capable of being so modified."

The Borough Solicitor advised Members that, if they were minded to refuse the application, it was vital that they had a legitimate reason to do so. They could not refuse the application solely on the basis on the common-law Wednesbury reasonable point. However, the paucity of information provided by HS2 was the principle area of concern. It was confirmed that, in accordance with Schedule 17, paragraph 6, the Local Authority was entitled to take account of the absence of information provided and refuse HS2 Ltd's application on the basis that the arrangements ought to be modified to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, and were reasonably capable of being so modified.

The Committee was informed that PINS would set a date for the hearing of HS2 Ltd's appeal and would take into account the decision made and the reasons for it.

In light of the above, the officer's recommendation was moved, seconded and, upon being put to a vote, unanimously upheld.

**RESOLVED That: the application be refused.**

The meeting, which commenced at 6.00 pm, closed at 6.25 pm.

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

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# Agenda Item 6

**Item No.** Report of the Head of Planning and Enforcement

**Address:** MERCK SHARPE DOHME (MSD) SITE OFF BREAKSPEAR ROAD SOUTH HAREFIELD

**Development:** Request for approval of Bringing into Use under condition imposed by Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017.(new private access road to the Merck Sharpe Dohme (MSD) pharmaceutical site)

**LBH Ref Nos:** 72870/APP/2019/2598

<b>Drawing Nos:</b>	<b>Date of Plans:</b>
Philips Luma Specification	09-09-2019
Covering Letter 1EW02-CSJ-TP-COR.S005_SL07-000001	08-08-2019
1EW02-CSJ-HW-DPL-SS05_SL07-300102_P07.	12-12-2019
1EW02-CSJ-HW-DPL-SS05_SL07-300101 rev P10	12-12-2019
Lighting Specification dated 09-09-19	09-09-2019

<b>Drawing Nos:</b>	<b>Date of Amended Plans:</b>
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**Date Application Valid:** 8th August 2019

## 1. SUMMARY

This application comprises a bringing into use submission under Schedule 17 of the High Speed Rail (London-West Midlands) Act 2017 (The Act), in relation to the Merck Sharpe Dohme (MSD) pharmaceutical site (north of the Chiltern Line, west of Breakspear Road South). The details relate purely to 'Scheduled Works' comprising part of the new private access road to the MSD site.

Schedule 1 to the High Speed Rail (London - West Midlands) Act 2017 sets out the 'Scheduled Works' the nominated undertaker is authorised to construct and maintain for Phase One of High Speed 2. The Planning Conditions set out in Schedule 17 of the Act require the nominated undertaker to submit requests for approval to the relevant planning authority for bringing into use most 'Scheduled Works' and railway depots. The purpose of 'bringing into use' approvals is to ensure the nominated undertaker for the work takes all reasonably practical measures for the mitigation of the work.

The application is the first HS2 Schedule 17 'Request for approval of Bringing into Use' submission that has been deposited with the Council. These Schedule 17 planning submissions can best be likened to the submission of reserved matters, where outline planning consent has already been

granted. However, the role of the Planning Authority is heavily restricted as to what can and cannot form the basis of a decision.

There is no statutory obligation to consult with neighbours. However, Natural England and GLAAS have been consulted.

It is considered that there are no reasonably practicable measures which need to be taken for the purpose of mitigating the effect of the work or its operation in terms of its impact on the local environment / local amenity, in accordance with Paragraph 9 sub section (4)(a) of Schedule 17 of the Act.

## **2. RECOMMENDATION**

APPROVAL

## **INFORMATIVES**

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The site is located within a plot of land previously owned by Merck Sharpe and Dohme (MSD) pharmaceutical company, but now acquired by the Secretary of State for Transport.

At present, the route of a Statutory Bridleway (ref. U42) runs north west to southeast where it connects to Breakspear Road South, following the route of the current MSD site access for part of the way. This bridleway is found to the east of the MSD site and associated security fencing.

To the east of the bridleway route is underused pasture land with scattered scrub, trees and hedgerows. Topography of this land is observed to be generally flat.

At present, the site is accessed via an unnamed private road running northwest from a junction with Breakspear Road South, which joins the A40 approximately 2.6km to the south.

The site of the former Gatemead Farm and its surrounding curtilage is found on the eastern flank of the current MSD access. This property has been acquired by HS2 under the provisions of the Act.

Access to the pasture land found to the east of the MSD site is currently achieved approximately 100m to the north-west of the current site access where a junction arrangement is found onto Breakspear Road South.

### 3.2 Proposed Scheme

The purpose of this submission, is to seek the approval of the qualifying authority under Schedule 17 to bring into use HS2 works set out below, within London Borough of Hillingdon to which that schedule applies.

Schedule 1 to the High Speed Rail (London - West Midlands) Act 2017 sets out the 'Scheduled Works' the nominated undertaker is authorised to construct and maintain for Phase One of High Speed 2. Paragraph 9 of Schedule 17 to the Act requires the nominated undertaker to submit a bringing into use request for most 'Scheduled Works' and railway depots.

Scheduled Work 1/68 subject to this submission relates to part of the new private access road to the Merck Sharpe Dohme (MSD) pharmaceutical site, which is located off Breakspear Road South, Ickenham. Scheduled Work 1/68 is described as follows: An access road commencing on Breakspear Road South at a point 90 metres north-east of the junction of that road with footpath U46 and terminating on bridleway U42 at a point 124 metres north-west of the junction of that road with footpath U46.

The extent of the Scheduled Work 1/68 is set out in the Plans and Specifications submission under Schedule 17 of the High Speed Rail (London-West Midlands) Act 2017 (The Act), elsewhere on this agenda.

### 3.3 Relevant Planning History

The High Speed Rail (London-West Midlands) Act 2017 received Royal Assent on 23rd February 2017 and contains 70 sections and 33 schedules. Section 20 provides that planning permission is deemed to be granted under Part 3 of the Town & Country Planning Act 1990 (TCPA 1990) for development authorised by the Act.

The nominated undertaker, HS2 Ltd, is required to attain relevant approvals from Hillingdon Council which is designated as the 'Qualifying Authority' in accordance with the schedule 17 (s17) of the Act.

The purpose of the schedule 17 is to put into place a process for the approval of certain planning matters relating to the design and construction of HS2. This helps to ensure that there is an appropriate level of control over construction works, but without imposition of undue delay or cost to the project. It is noted that the planning grounds for determination are more constrained under the HS2 Act as compared to the TCPA 1990.

Henceforth, the Council can only refuse requests for approval or impose conditions in accordance with the relevant grounds as set out per S17, which requires the agreement of the nominated undertaker (HS2 Ltd).

The Planning Conditions set out in Schedule 17 of the Act require the nominated undertaker to submit requests for approval to the relevant planning authority for:

- Building works;
- Other construction works;
- Matters ancillary to development (referred to as construction arrangements);
- bringing into use;
- site restoration schemes;
- waste and soil disposal and excavation; and
- road transport (lorry route approval).

Schedule 17 of the Act sets out the grounds on which a relevant planning authority may impose conditions on approvals or refuse to approve the requests for approval.

This 'bringing into use' submission does not include construction arrangements submissions, as these are of a temporary nature and it is not necessary to submit any further drawings at this stage.

#### **4. ADVERTISEMENT AND SITE NOTICE**

4.1 Advertisement Expiry Date: Not Applicable

4.2 Site Notice Expiry Date: Not Applicable

#### **5.0 PLANNING POLICES AND STANDARDS**

The following UDP Policies are considered relevant to the application. In so far as this application is concerned the most pertinent policies applicable to the proposals relate to transportation matters.

Part 1 Policies:

1. **PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains**

(2012) Green Belt, Metropolitan Open Land and Green Chains

2. **PT1.EM6 (2012) Flood Risk Management**

(2012) Flood Risk Management

3. **PT1.EM7 (2012) Biodiversity and Geological Conservation**

(2012) Biodiversity and Geological Conservation

4. **PT1.EM8 (2012) Land, Water, Air and Noise**

(2012) Land, Water, Air and Noise

Part 2 Policies:

1. **AM7** **Consideration of traffic generated by proposed developments.**

Consideration of traffic generated by proposed developments.

2. **BE38** **Landscaping**

Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

3. **EC1** **Replaced by PT1.EM7 (2012)**

Protection of sites of special scientific interest, nature conservation importance and nature reserves  
Replaced by PT1.EM7 (2012)

4. **EC2** **ECOLOGY AND NATURE CONSERVATION**

Nature conservation considerations and ecological assessments

5. **EC3** **ECOLOGY AND NATURE CONSERVATION**

Potential effects of development on sites of nature conservation importance

6. **EC4** **ECOLOGY AND NATURE CONSERVATION**

Monitoring of existing sites of nature conservation importance and identification of new sites

7. **EC5** **ECOLOGY AND NATURE CONSERVATION**

Retention of ecological features and creation of new habitats

8. **DMEI 4** **Development on the Green Belt or Metropolitan Open Land**

Development on the Green Belt or Metropolitan Open Land

9. **DMEI 7** **Biodiversity Protection and Enhancement**

Biodiversity Protection and Enhancement

10. **DMHB 1** **Heritage Assets**

Heritage Assets

11. **DMHB 14** **Trees and Landscaping**

Trees and Landscaping

12. **DMT 1** **Managing Transport Impacts**

Managing Transport Impacts

13. **DMT 2 Highways Impacts**

Highways Impacts

14. **LPP 5.12 (2016) Flood risk management**

(2016) Flood risk management

15. **LPP 7.16 (2016) Green Belt**

(2016) Green Belt

16. **LPP 7.19 (2016) Biodiversity and access to nature**

(2016) Biodiversity and access to nature

17. **LPP 7.21 (2016) Trees and woodlands**

(2016) Trees and woodlands

18. **NPPF National Planning Policy Framework**

National Planning Policy Framework

## 6.0 COMMENTS ON PUBLIC CONSULTATION

### 6.1 HISTORIC ENGLAND ARCHAEOLOGY (GLAAS)

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and made available in connection the application and in pre-application and other consultation with the High Speed 2, I conclude that the proposal will not have any significant effect on heritage assets of archaeological interest.

I agree with the written statement's conclusion that an archaeological project plan is not needed due to the low archaeological potential.

### NATURAL ENGLAND

#### NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Description of the proposal

This planning proposal is for a development scheme or works scheduled under the provisions of the High Speed Rail (London-West Midlands) Act (2017) which form part of the High Speed Two scheme within your area. It should therefore be determined using the planning regime established by that legislation. The Act grants the work deemed planning permission, subject to certain matters and details of the deemed consent being reserved for subsequent local planning authority approval under Schedule 17. We advise that, in determining the consultation, the planning authority should have regard to the permissions already granted under The Act, and to any relevant supporting documents to The Act.

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006.

## 6.2 HIGHWAY ENGINEER

As the principle of design has been / will be established at the Schedule 4 (Access) & Schedule 17 (Lorry Route) stages of application, there are no specific comments or objections on the submitted 'Plans & Specifications' which conform to anticipated designs.

### TREE AND LANDSCAPE OFFICER

This Schedule 17 submission includes fencing details and an indicative street lighting associated with the new access road for MSD. FENCING SPECIFICATION includes: 1. Chain link and barbed wire on a cranked concrete fence securing the boundary between the MSD site and the railway. - A crude and rudimentary security fence. 2. Timber post and rail to define the roadside bridle path. 3. Timber post and barbed wire, stock-proof fence to define the farmer's field boundaries.

### RECOMMENDATION

There is no mention of the replacement planting of field boundary hedgerows with trees - many of which have been removed in this location?

LIGHTING SPECIFICATION: The lighting column is relatively low at 5 metres. The lighting should be directional (avoiding light pollution of the night sky). The LED should be selected to minimise any adverse impact on wildlife, including insects, birds and bats. Refer to Bats and artificial Lighting in the UK, Guidance Note 08/18 produced by the Bat Conservation Trust (BCT) and the Institution of Lighting Professionals (ILP).

### RIGHTS OF WAY OFFICER

#### Public Bridleway U42

Bridleway U42 from west side of Breakspear Road South connecting to Newyears Green Lane-145m diversion (minor adverse affect)

This permanent diversion is not considered acceptable due to diversion route proposed not connecting to either public footpaths U46 and U43, thus forcing the user onto Breakspear Road South. It is not obvious from the mapping why the new route would have to divert so far north from its existing route, the Bridleway could be diverted to the north of Gatemead Farm to connect with the proposed diversion of U46, the proposal would be considered acceptable if network continuity can be provided. No precise details have been given and there is a length difference of 106m to

145m from the information provided in CFA 6 and the proposed scheme description.

The concern is with connectivity to the adjoining footpath U46, also due to be diverted. Also consideration should be given to traffic control along the shared route, hazard signage and sight lines for users as they approach Breakspear Road South.

(Officer note: Schedule 4 approval has been sought separately for the permanent diversion of Bridleway No. U42 and the associated stopping up of part of the current route (being that which is found to the south of the new access road and running to its intersection with Breakspear Road South). This will be sought under Part 2 provisions (Interference with Highways).

Matters relating to the wider connection of footpaths and how they interrelate remains a concern for the Council and discussions are ongoing. Officers are seeking a clear plan of how the footpaths interconnect during and after construction of HS2. These matters remain outside of the scope of this submission and will be matters for approval under Schedule 4 (predominantly) of the HS2 Act).

## **7.0 MAIN PLANNING ISSUES - High Speed Rail(London - West Midlands) Act**

### **7.1 Bringing Scheduled Works and Depots into Use**

The background and general approach to the 'bringing into use' submissions has been set out in the HS2 Planning Forum Note 7 (Bringing into Use Approvals). This indicates that the design of HS2 will seek to blend the operational infrastructure into the landscape and townscape and has generally reduced the effect on the environment. To a large extent, therefore, the mitigation will be an integral part of the design, rather than a separate element.

HS2 submits that the reasonably practicable mitigation of the scheme will therefore be largely built into design that will require 'plans and specifications' approval for the above ground permanent works ancillary to the new private road to serve the MSD facility. This is subject to a separate S17 submission, lodged simultaneously with this 'bringing into use' submission and is included elsewhere on this agenda.

Paragraph 9, sub section (4) of Schedule 17 (Conditions on bringing scheduled works and depots into use) states that the relevant planning authority must grant approval for the purposes of this paragraph if -

(a) it considers that there are no reasonably practicable measures which need to be taken for the purpose of mitigating the effect of the work or its operation on the local environment or local amenity, or

(b) it has approved, at the request of the nominated undertaker, a scheme consisting of provision with respect to the taking of measures for that purpose.

The relevant planning authority may not refuse to approve, or impose conditions on the approval of a scheme submitted for the purposes of sub-paragraph (4)(b) unless it is satisfied that it is expedient to do so on the ground that the scheme ought to be modified:

(a) to preserve the local environment or local amenity,



(b) to preserve a site of archaeological or historic interest, or

(c) in the interests of nature conservation,

and that the scheme is reasonably capable of being so modified.

In terms of the design and routing of the new access road, this forms part of Scheduled Work 1/68 set out in Schedule 1 to the High Speed Rail (London - West Midlands) Act 2017. The principle of design has been / will be established at the Schedule 4 (Access) & Schedule 17 (Lorry Route) stages of application.

Both Natural England and Historic England have raised no objections to this 'Bringing into Use' submission in terms of ecology and archaeology.

With respect of the provision of additional landscape mitigation, the Environment Statement guides the potential need for mitigation for the work. It is noted that the Environmental Statement does not mention that landscaping mitigation is required for the access road. Furthermore, the applicant points out that significant landscaping proposals would conflict with the practicalities of installing a security fence.

Fencing (the location only) and lighting is approved under the Plans and Specifications submission, not under this Bringing into Use submission.

Matters of drainage would be covered under Schedule 33 and there should be no duplication of controls under Schedule 17. A Schedule 33 submission was recently submitted to the Local Planning Authority and subsequently approved.

Schedule 4 approval has been sought separately for the permanent diversion of Bridleway No. U42 and the associated stopping up of part of the current route (being that which is found to the south of the new access road and running to its intersection with Breakspear Road South).

With regard to highway safety issues, the new bridleway route will utilise the footway on the access road to link up with the existing U42 route northwards. The footpath forms part of the scheduled work. This is important because the footway includes kerbs, i.e. the road is lower than the PROW and thus an issue for accessibility. The crossing as originally designed was immediately at the road access, which raised concerns in terms of safe movement from one side (the new bridleway alignment) to the other (the footpath). These were potential issues to be addressed through determination and potential conditions, but the applicant categorically stated the bridleway is not part of this submission. The consequence of this brought into question whether the access road could be brought into use whilst questions remain over the safe movement of bridleway users, including cyclists and horses.

Similarly, whilst 1.5m is a recommended minimum width for a bridleway, the footway may not be sufficient to accommodate all bridleway users. This brought the kerb and the lower lying verge into play as a safety issue.

Following extensive negotiations with the applicant, changes have been made to the alignment of the crossing points and the location of the dropped kerbs. The information now presented is

acceptable to officers.

It is considered that there are no reasonably practicable measures which need to be taken for the purpose of mitigating the effect of the work or its operation in terms of its impact on the local environment / local amenity, in accordance with Paragraph 9 sub section (4)(a) of Schedule 17 of the Act.

It is therefore recommended that the 'bringing into use' submission be approved.

## 8.0 BOROUGH SOLICITOR COMMENTS

Paragraph 9 of Schedule 17 of the High Speed Rail Act 2017 provides that if the relevant planning authority is a qualifying authority, no work to which this paragraph applies may be brought into use without the approval of that authority.

In this instance, the work which this paragraph relates to can be described as scheduled works which are prescribed by Schedule 1 of the HS2 Act. Paragraph 9 applies to all scheduled works, with the exception of work which is underground.

The relevant scheduled work in this instance is Work No 1/68 which relates to the Merck Sharpe Dohme pharmaceutical site, which is located off Breakspear Road, South Harefield. The extent of this Work is set out in the Plans and Specifications application from HS2 Ltd which forms the basis of a separate report on the agenda.

The purpose of bringing into use approvals is to ensure that HS2 Ltd takes all reasonably practicable measures for mitigation of the work in question.

Under paragraph 9, the Council must grant approval if:

- . no reasonably practicable measures for mitigating the effect on the environment or local amenity need to be taken, or
- . the Council has approved a mitigation scheme submitted by HS2 Ltd.

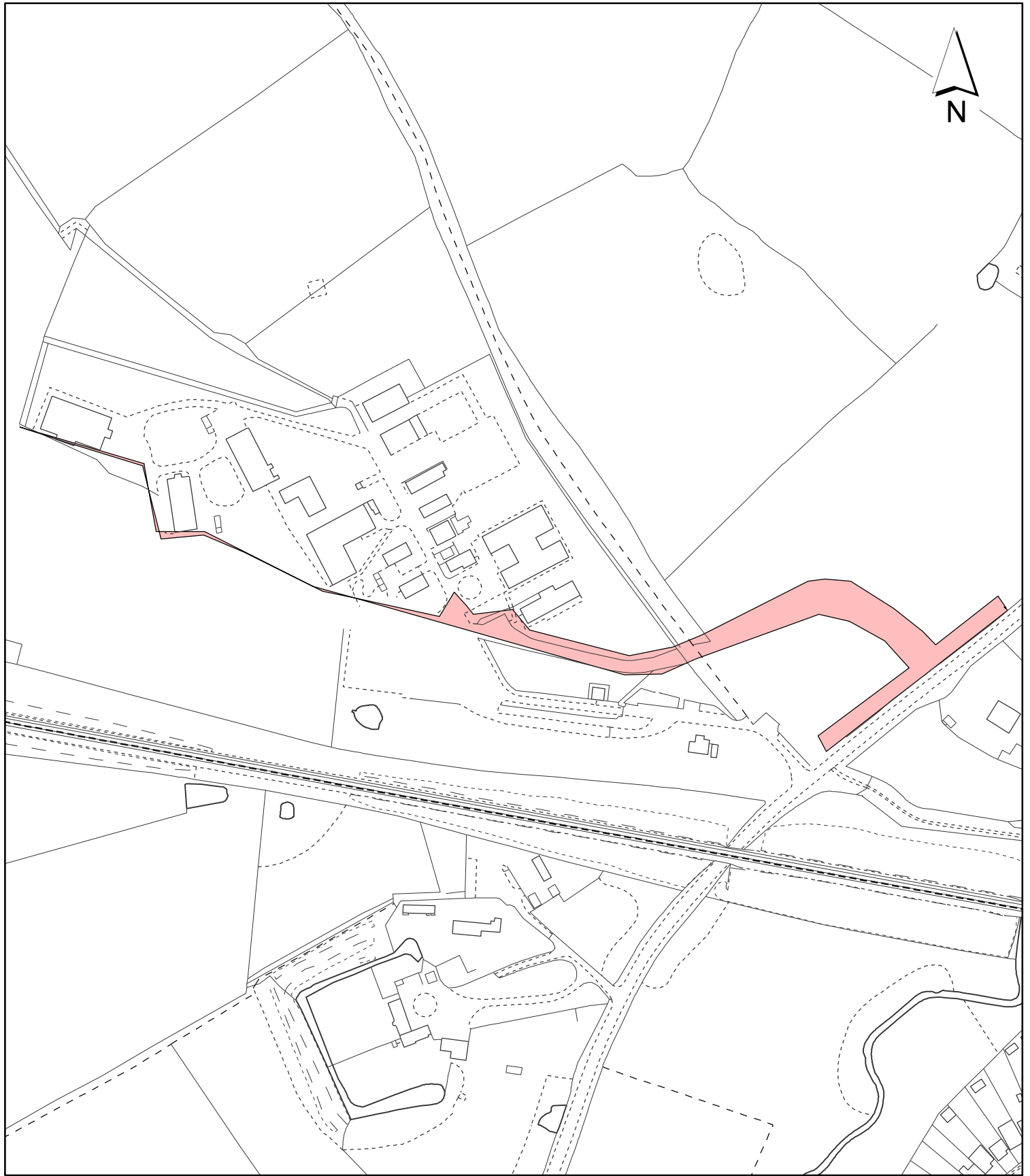
The Council may not refuse to approve, or impose conditions on the approval of a mitigation scheme unless it is satisfied that it is expedient to do so on the ground that the scheme ought to be modified -

- . to preserve the local environment or local amenity,
- . to preserve a site of archaeological or historical interest, or
- . in the interests of nature conservation,

and that the scheme is reasonably capable of being so modified.

The report before Members sets out the main planning issues in relation to this application from HS2 Ltd in Paragraph 7, which concludes that there are no reasonably practicable measures which





**Notes:**

 Site boundary

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Site Address:

**Merck Sharpe Dohme (MSD)  
 Site Off Breakspear Road  
 South Harefield**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**72870/APP/2019/2598**

Scale:

**1:2,800**

Planning Committee:

**HS2** Page 16

Date:

**January 2020**



**HILLINGDON**  
 LONDON

**Item No.** Report of the Head of Planning and Enforcement

**Address:** MERCK SHARPE DOHME (MSD) SITE OFF BREAKSPEAR ROAD SOUTH HAREFIELD

**Development:** Request for approval of Plans & Specifications under condition imposed by Schedule 17 to the High Speed Rail (London-West Midlands) Act 2017 (permanent above ground works comprising a road vehicle park, fences and external lighting, ancillary to the new access road)

**LBH Ref Nos:** 72870/APP/2019/2597

<b>Drawing Nos:</b>	<b>Date of Plans:</b>
Covering Letter 1EW02-CSJ-TP-COR.SS05_SL07-000001	08-08-2019
1EW02-CSJ-HW-DPL-SS05_SL07-300102_P07	12-12-2019
Proforma 1EW02-CSJ-TP-COR.S005_SL07-000002	08-08-2019
1EW02-CSJ-HW-DPL-SS05_SL07-300101 rev P10	12-12-2019
Site Location Plan 1EW02-CSJ-TP-PLN.SS05_SL07-0000	08-08-2019
Revised crossing sketch	25-11-2019

<b>Drawing Nos:</b>	<b>Date of Amended Plans:</b>
---------------------	-------------------------------

**Date Application Valid:** 8th August 2019

## 1. SUMMARY

This application comprises a Plans and Specifications submission under Schedule 17 of the High Speed Rail (London-West Midlands) Act 2017 (The Act), in relation to permanent above ground features associated with new road works serving the Merck Sharpe and Dohme (MSD) site. The details relate purely to 2 no. parking spaces adjacent to the new security entrance, fencing and external lighting.

The application is the the latest HS2 Schedule 17 planning submission that has been deposited with the Council. These Schedule 17 planning submissions can best be likened to the submission of reserved matters, where outline planning consent has already been granted. However, the role of the Planning Authority is heavily restricted as to what can and cannot form the basis of a decision.

The approved route of Phase One of HS2 will necessitate the removal of certain buildings and associated development currently found within the MSD site. Part of the necessary works is the alternative provision of the MSD access road elsewhere, such that it does not conflict with the route of HS2 and associated main works construction. The alternative location has already been

indicated on the approved plans and comprises of a Schedule 1 Work ('Scheduled Work') and ancillary works. The principle of the new road, its layout, materials or route do not therefore form part of this plans and specifications request for approval.

The applicant explains that the associated permanent features that form the scope of this Schedule 17 Plans and Specifications application are necessary supporting infrastructure for the new road. Lighting columns and the provision of car parking spaces will provide clear safety benefits for road users, whereas the installation of fencing and its location will seek to ensure that site security is maintained.

There is no statutory obligation to consult with neighbours. However Natural England and Historic England have been consulted and raise no objections.

No objections are raised to the proposed car parking, fencing and lighting.

## **2. RECOMMENDATION**

APPROVAL

## **INFORMATIVES**

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The site is located within a plot of land previously owned by Merck Sharpe and Dohme (MSD) pharmaceutical company, but now acquired by the Secretary of State for Transport.

At present, the route of a Statutory Bridleway (ref. U42) runs north west to south east where it connects to Breakspear Road South, following the route of the current MSD site access for part of the way. This bridleway is found to the east of the MSD site and associated security fencing.

To the east of the bridleway route is underused pasture land with scattered scrub, trees and hedgerows. Topography this land is observed to be generally flat.

At present, the site is accessed via an unnamed private road running northwest from a junction with Breakspear Road South, which joins the A40 approximately 2.6km to the south.

The site of the former Gatemead Farm and its surrounding curtilage is found on the eastern flank of the current MSD access. This property has been acquired by HS2 under the provisions of the Act.

Access to the pasture land found to the east of the MSD site is currently achieved approximately 100m to the north-west of the current site access where a junction arrangement is found onto Breakspear Road South.

### 3.2 Proposed Scheme

This application relates to the request for approval of plans and specifications relating to permanent works ancillary to the new access road serving the MSD site, pursuant to Schedule 17 of the Act.

Schedule 17 Plans and Specifications approval will be required for any above ground permanent features associated with the new road route. Such features are presented below.

- A road vehicle park - comprising the construction and setting out of 2no. parking spaces adjacent to the new security entrance;
- Erection of a fence (original submission)
  - (a) Farmyard perimeter fence 1.4 metre high wire mesh with barbed wire, to be sited beyond the northern flank of the new access road and associated footway, to run between the new junction onto Breakspear Road South and the new security gates into the MSD site;
  - (b) 2.4 metre high wire linkmesh fencing with cranked concrete postes and barbed wire top, to be sited beyond the southern flank of the new access road and associated footway, to run between the new junction on Breakspear Road South and the new security gates into the MSD site, and thereafter continuing along the new perimeter of the site;
  - (c) 2.4 metre high MSD security fence both sides of the new security gates into the MSD site; and
  - (d) proposed bridleway post and rail fence

During the course of the application, it was agreed to make the following amendments to the fencing details:

- > Removal of the proposed 2.4m high fence beyond the southern flank of the road, between the MSD security gates and Breakspear Road South; and
- > Removal of the barbed wire atop the proposed 1.4m high stock fence beyond the northern flank of the road, between the route of U42 and Breakspear Road South.

- Artificial light equipment - the installation and operation of 5 metre high lighting columns with Philips Luma mini lighting lanterns, sited to flank the new access road.

The applicant explains that the associated permanent features that form the scope of this Schedule 17 Plans and Specifications application are necessary supporting infrastructure for the new road. Lighting columns and the provision of car parking spaces will provide clear safety benefits for road users, whereas the installation of a fence and its location will seek to ensure that site security is maintained.

Separate Schedule 4 deemed approval covers the new road access. However, as the MSD road will be private in nature, it is only the junction arrangement onto the public highway which is the subject of the Schedule 4 approval under Part 1 provisions (Highways Access).

### 3.3 Relevant Planning History

The High Speed Rail (London-West Midlands) Act 2017 received Royal Assent on 23rd February 2017 and contains 70 sections and 33 schedules. Section 20 provides that planning permission is deemed to be granted under Part 3 of the Town & Country Planning Act 1990 (TCPA 1990) for development authorised by the Act.

The nominated undertaker, HS2 Ltd, is required to attain relevant approvals from Hillingdon Council which is designated as the 'Qualifying Authority' in accordance with the schedule 17 (s17) of the Act.

The purpose of the schedule 17 is to put into place a process for the approval of certain planning matters relating to the design and construction of HS2. This helps to ensure that there is an appropriate level of control over construction works, but without imposition of undue delay or cost to the project. It is noted that the planning grounds for determination are more constrained under the HS2 Act as compared to the TCPA 1990.

Henceforth, the Council can only refuse requests for approval or impose conditions in accordance with the relevant grounds as set out per S17, which requires the agreement of the nominated undertaker (HS2 Ltd).

The Planning Conditions set out in Schedule 17 of the Act require the nominated undertaker to submit requests for approval to the relevant planning authority for:

- Building works;
- Other construction works;
- Matters ancillary to development (referred to as construction arrangements);
- bringing into use;
- site restoration schemes;
- waste and soil disposal and excavation; and
- road transport (lorry route approval).

Schedule 17 of the Act sets out the grounds on which a relevant planning authority may impose conditions on approvals, or refuse to approve the requests for approval.

## 4. ADVERTISEMENT AND SITE NOTICE

4.1 Advertisement Expiry Date: Not Applicable

4.2 Site Notice Expiry Date: Not Applicable

## 5.0 PLANNING POLICES AND STANDARDS



The following UDP Policies are considered relevant to the application. In so far as this application is concerned the most pertinent policies applicable to the proposals relate to transportation matters.

Part 1 Policies:

1. **PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains**

(2012) Green Belt, Metropolitan Open Land and Green Chains

2. **PT1.EM6 (2012) Flood Risk Management**

(2012) Flood Risk Management

3. **PT1.EM7 (2012) Biodiversity and Geological Conservation**

(2012) Biodiversity and Geological Conservation

4. **PT1.EM8 (2012) Land, Water, Air and Noise**

(2012) Land, Water, Air and Noise

Part 2 Policies:

1. **AM7 Consideration of traffic generated by proposed developments.**

Consideration of traffic generated by proposed developments.

2. **BE38 Landscaping**

Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

3. **EC2 ECOLOGY AND NATURE CONSERVATION**

Nature conservation considerations and ecological assessments

4. **EC3 ECOLOGY AND NATURE CONSERVATION**

Potential effects of development on sites of nature conservation importance

5. **EC4 ECOLOGY AND NATURE CONSERVATION**

Monitoring of existing sites of nature conservation importance and identification of new sites

6. **EC5 ECOLOGY AND NATURE CONSERVATION**

Retention of ecological features and creation of new habitats

**7. DMEI 4 Development on the Green Belt or Metropolitan Open Land**

Development on the Green Belt or Metropolitan Open Land

**8. DMEI 7 Biodiversity Protection and Enhancement**

Biodiversity Protection and Enhancement

**9. DMHB 1 Heritage Assets**

Heritage Assets

**10. DMHB 14 Trees and Landscaping**

Trees and Landscaping

**11. DMT 1 Managing Transport Impacts**

Managing Transport Impacts

**12. DMT 2 Highways Impacts**

Highways Impacts

**13. LPP 5.12 (2016) Flood risk management**

(2016) Flood risk management

**14. LPP 7.16 (2016) Green Belt**

(2016) Green Belt

**15. LPP 7.19 (2016) Biodiversity and access to nature**

(2016) Biodiversity and access to nature

**16. LPP 7.21 (2016) Trees and woodlands**

(2016) Trees and woodlands

**17. NPPF National Planning Policy Framework**

National Planning Policy Framework

**6.0 COMMENTS ON PUBLIC CONSULTATION**

**6.1 HISTORIC ENGLAND ARCHAEOLOGY (GLAAS)**

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS

Charter.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and made available in connection the application and in pre application and other consultation with the High Speed 2, I conclude that the proposal will not have any significant effect on heritage assets of archaeological interest. I agree with the written statement's conclusion that an archaeological project plan is not needed due to the low archaeological potential.

## NATURAL ENGLAND

### No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

This planning proposal is for a development scheme or works scheduled under the provisions of the High Speed Rail (London-West Midlands) Act (2017) which form part of the High Speed Two scheme within your area. It should therefore be determined using the planning regime established by that legislation. The Act grants the work deemed planning permission, subject to certain matters and details of the deemed consent being reserved for subsequent local planning authority approval under Schedule 17. We advise that, in determining the consultation, the planning authority should have regard to the permissions already granted under The Act, and to any relevant supporting documents to The Act.

## 6.2 HIGHWAY ENGINEER

As the principle of design has been / will be established at the Schedule 4 (Access) & Schedule 17 (Lorry Route) stages of application, there are no specific comments or objections on the submitted 'Plans & Specifications' which conform to anticipated designs.

### RIGHTS OF WAY OFFICER

Bridleway U42 from west side of Breakspear Road South connecting to Newyears Green Lane-145m diversion (minor adverse affect)

This permanent diversion is not considered acceptable due to diversion route proposed not connecting to either public footpaths U46 and U43, thus forcing the user onto Breakspear Road South. It is not obvious from the mapping why the new route would have to divert so far north from its existing route, the Bridleway could be diverted to the north of Gatemead Farm to connect with the proposed diversion of U46, the proposal would be considered acceptable if network continuity can be provided. No precise details have been given and there is a length difference of 106m to 145m from the information provided in CFA 6 and the proposed scheme description.

My concern is with connectivity to the adjoining footpath U46, also due to be diverted. Also consideration should be given to traffic control along the shared route, hazard signage and sight lines for users as they approach Breakspear Road South.

Matters relating to the wider connection of footpaths and how they interrelate remains a concern for the Council and discussions are ongoing. Officers are seeking a clear plan of how the footpaths interconnect during and after construction of HS2. These matters remain outside of the scope of this submission and will be matters for approval under Schedule 4 (predominantly) of the HS2 Act.

(Officer note: Schedule 4 approval will be sought separately for the permanent diversion of Bridleway No. U42 and the associated stopping up of part of the current route (being that which is found to the south of the new access road and running to its intersection with Breakspear Road South). This will be sought under Part 2 provisions (Interference with Highways). Changes have been made to the alignment of the crossing points and the location of the dropped kerbs. The information now presented is acceptable to officers).

#### TREE AND LANDSCAPE OFFICER

This Schedule 17 submission provides details of the proposed access arrangements to the MSD site on Breakspear Road South. Some of these fence and lighting details overlap with submission ref. 2019/2598

WELDED MESH FENCING - 2.4metre high welded mesh fencing and gates are indicated at the MSD site entrance which is set back from the road.

RECOMMENDATION No objection but, hedgerow planting would help so soften the appearance of this utilitarian security fence and make it sit more comfortably within the countryside.

## 7.0 MAIN PLANNING ISSUES - High Speed Rail(London - West Midlands) Act

### 7.1 Other construction works (S17.3)

The principle of the development has been established by virtue of The High Speed Rail (London-West Midlands) Act 2017, which provides powers for the construction and operation of Phase 1 of High Speed 2.

This application provides information to assist with the determination of the Plans and Specifications submission (Schedule 17) in relation to permanent works ancillary to the new access road serving the MSD site, pursuant to Schedule 17 of the Act. Schedule 17 Plans and Specifications approval will be required for any above ground permanent features associated with the new road route.

In order to provide context to this Section 17 submission, it should be noted that the approved route of Phase One of HS2 will necessitate the removal of certain buildings and associated development currently found within the MSD site. Such works are to take place under the Enabling Works Contract.

Part of the necessary works is the alternative provision of the MSD access road elsewhere, such that it does not conflict with the route of HS2 and associated main works construction. The alternative location has already been indicated on the approved plans and comprises of a Schedule 1 Work ('Scheduled Work') and ancillary works. This Schedule Work is described as

follows:

-Work 1/68 - An access road commencing on Breakspear Road South at a point 90 metres north-east of the junction of that road with footpath U46 and terminating on bridleway U42 at a point 124 metres north west of the junction of that road with footpath U46.

The remainder of the access road, from the bridleway to the security gates denoting the entrance to the MSD facility is categorised as ancillary works under Schedule 2 of the HS2 Act.

The new MSD road will join Breakspear Road South at the location of a current access point used to provide access to arable fields. From here, it will generally run in a western direction towards the MSD site. This route bisects the existing route of Bridleway U42 and as part of the overall access road proposals the bridleway will be diverted on its route to join Breakspear Road South, such that it follows the new access road up to the junction.

The new private access road will be constructed so that it is between 5-6 metres in width, flanked to the north by a 1.2m width footway and a 0.5m verge. The provision of a lay-by within the road design will see the road width increased to 9m maximum where relevant.

However, a road does not fall under the definition of a building or structure under Schedule 17 of the Act, and as such, the road itself does not require Plans and Specifications approval for its materials, location and design. Instead, as the new MSD access road is covered by a Scheduled Work as described above, a Schedule 17 Bringing into Use application relating to the extent of Work 1/68 has been submitted simultaneously and is included elsewhere on this agenda.

Nevertheless, the new bridleway route will utilise the footway on the access road to link up with the existing U42 route northwards. The footpath forms part of the scheduled work. This is important because the footway includes kerbs, i.e. the road is lower than the PROW and thus an issue for accessibility; The crossing as originally designed was immediately at the road access, which raised concerns in terms of safe movement from one side (the new bridleway alignment) to the other (the footpath). These were potential issues to be addressed through determination and potential conditions, but the applicant categorically stated the bridleway is not part of this submission. The consequence of this brought into question whether the access road could be brought into use whilst questions remain over the safe movement of bridleway users, including cyclists and horses.

Similarly, whilst 1.5m is a recommended minimum width for a bridleway, the footway may not be sufficient to accommodate all bridleway users. This brought the kerb and the lower lying verge into play as a safety issue.

Following extensive negotiations with the applicant, changes have been made to the alignment of the crossing points and the location of the dropped kerbs. The information now presented is acceptable to officers.

This Plans and Specifications submission under Schedule 17 of the High Speed Rail (London-West Midlands) Act 2017 (The Act), relate purely to 2 no. parking spaces adjacent to the new security entrance, fencing and external lighting, comprising permanent above ground features associated with new road works serving the Merck Sharpe and Dohme (MSD) site.

Fencing-

No objections are raised to the location of the 2.4m high post & wire top boundary fence, wire link mesh fencing with cranked concrete post and the proposed 2.4m high wire mesh security fence.

#### Parking Spaces-

No objections are raised to the location of the 2 parking spaces.

#### Security Lighting -

For the lighting class, the harmonised British and European Standard (BS EN 12464-2:2014) provides guidance on the lighting of outdoor workplaces. This guidance points towards the applicability of an average lighting level of 10 lux and a 40% uniformity level. Due to the narrow width of the proposed road and the potential for LGVs to pass one another, the applicant submits that no reduction in this lux level could be considered for safety reasons.

It has been determined that the proposed site is located within an E2 zone, which is classed as a 'village or relatively dark outer suburban location', as described within the Institute of Lighting Professionals guidance (GN01 - Guidance Notes for the Reduction of Obtrusive Light). Whilst no luminous intensity rating is stipulated for an E2 zone, there are certain restrictions advised within the guidance note which limits light into nearby buildings.

Several luminaires were used to model the lighting. Due to the location of the proposed site within a Green Belt and the proximity of sensitive receptors, a maximum mounting height of 6 metres for the column and a minimum of a G4 luminous rating for the luminaire are considered appropriate by the applicant. The Philips luminaire is the only luminaire capable of achieving G6 at a 5m mounting height which represents a very good solution from an environmental and ecological perspective whilst meeting the chosen lighting class.

For the access road lighting design, a Philips Mini-Luma 8.60klm luminaire has been selected at a 5m mounting height and a single-sided arrangement. The luminous intensity rating (glare rating) is G6 and the light source colour temperature is warm white having a colour rendering index of Ra>60.

It is observed that there are properties in the vicinity of the new access road. The G6 luminous intensity rating is the best rating achievable for low glare within the lighting standards and, combined with the low mounting height selected and the selection of a warm white colour temperature, will mitigate the impact on the surrounding area.

## 8.0 BOROUGH SOLICITOR COMMENTS

This particular application from HS2 Ltd is governed by paragraph 3 of Schedule 17 of the High Speed Rail Act 2017 which is headed, 'Condition relating to other construction works'.

Paragraph 3 provides that 'If the relevant planning authority is a qualifying authority, development to which this paragraph applies must be carried out in accordance with plans and specifications for the time being approved by that authority'.

Paragraph 3 states that paragraph 3 applies to development to the extent that it, inter alia, consists

of the construction of any of the following-

- . a road vehicle park;
- . fences or walls;
- . lighting equipment.

The various developments which fall under the auspices of paragraph 3, and the corresponding possible grounds of refusal, are set out in tabular form and paragraph 3 provides that, 'The relevant planning authority may only refuse to approve plans or specifications for the purposes of this paragraph on a ground specified in relation to the work in question in the following table'.

This report is only concerned with 2 parking spaces, fencing and external lighting. The possible grounds of refusal in respect of each of these developments are different and will, for the sake of completeness, be set out as follows.

. Road vehicle park - That the design or external appearance of the works ought to, and could reasonably, be modified -

to preserve the local environment or local amenity.

to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area,  
or

to preserve a site of archaeological or historic interest or nature conservation value.

. Fences and walls - That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

. Artificial lighting equipment - That the design of the equipment, with respect to the emission of light, ought to, and could reasonably, be modified to preserve the local environment or local amenity. If the development does not form part of a scheduled work, that the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

The report before Members sets out the main planning issues in relation to this application from HS2 Ltd in Paragraph 7 and Members will note that none of the statutory possible grounds of refusal, in relation to each of the three categories of development in question, are applicable.

In the circumstances, there is no legal reason why Members cannot approve the application.

## 9.0 OTHER ISSUES

None.

## 10.0 REFERENCE DOCUMENTS

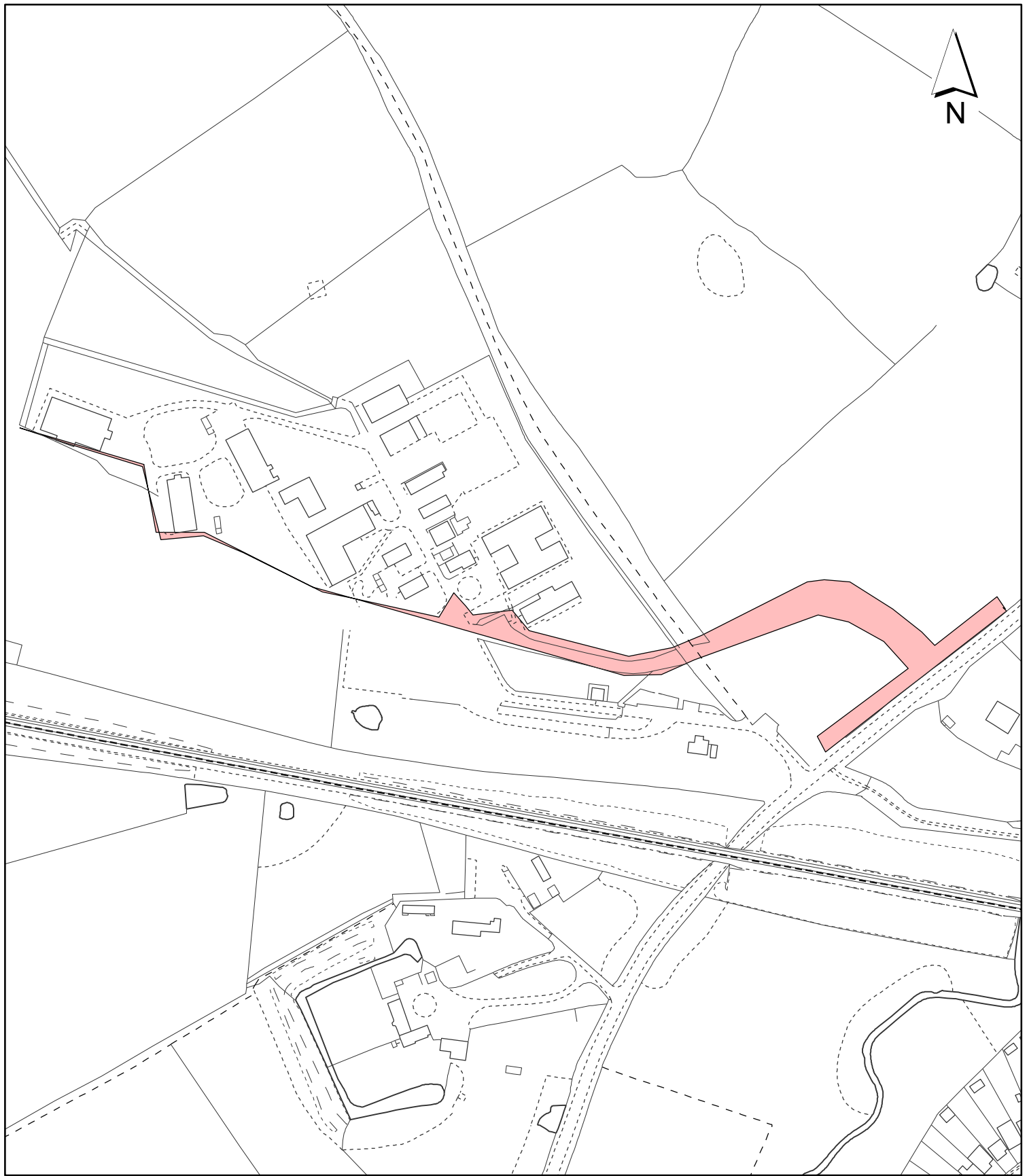
The High Speed Rail (London-West Midlands) Act 2017.

**Contact Officer:**

Karl Dafe

**Telephone No:**

01895 250230



**Notes:**

 Site boundary

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Site Address:

**Merck Sharpe Dohme (MSD)  
 Site Off Breakspear Road  
 South Harefield**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**72870/APP/2019/2597**

Scale:

**1:2,800**

Planning Committee:

**HS2** Page 28

Date:

**January 2020**



**HILLINGDON**  
 LONDON



# Plans for HS2 Planning Sub Committee

Wednesday 8th January  
2020



HILLINGDON  
LONDON



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Page 29

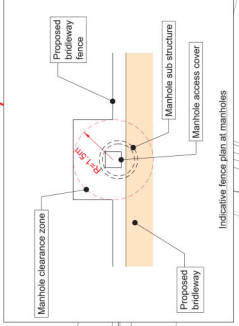
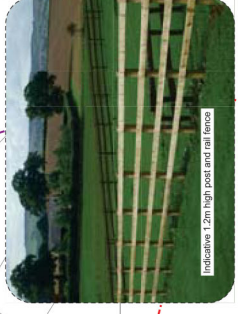
**Item No.**                                    **Report of the Head of Planning and Enforcement**

**Address:**                                    MERCK SHARPE DOHME (MSD) SITE OFF BREAKSPEAR ROAD SOUTH  
HAREFIELD

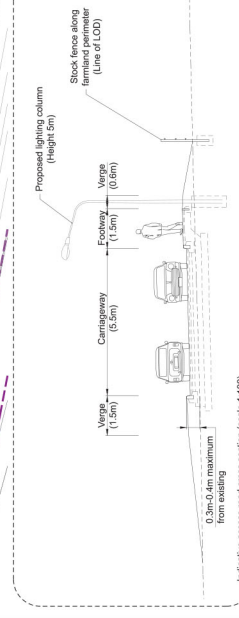
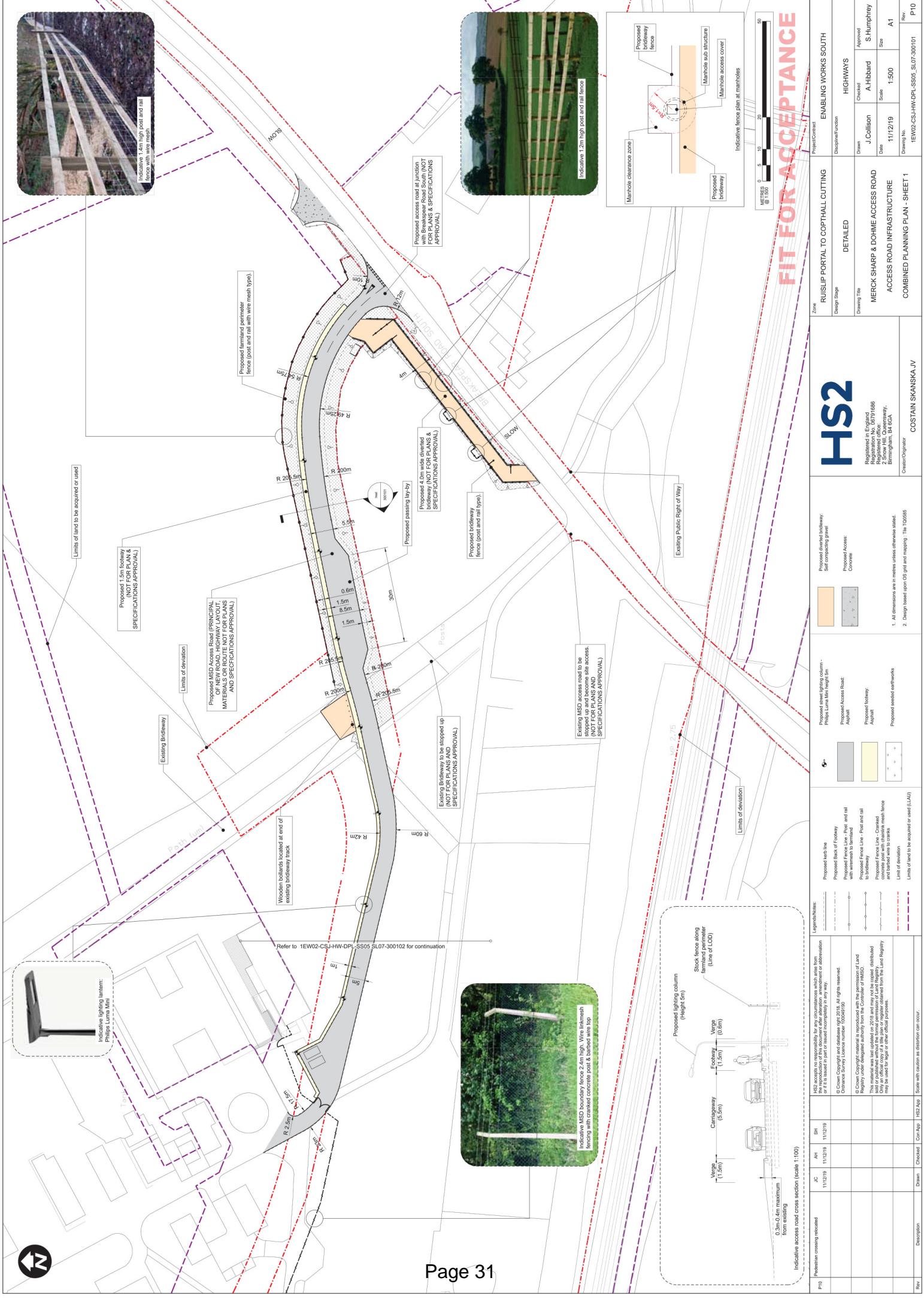
**Development:**                            Request for approval of Bringing into Use under condition imposed by  
Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017.(new  
private access road to the Merck Sharpe Dohme (MSD) pharmaceutical  
site)

**LBH Ref Nos:**                            72870/APP/2019/2598

**Date Application Valid:**    8th August 2019



**FIT FOR ACCEPTANCE**



Revision	Drawn	Checked	Co-Ord	HSE Sign	HSE Sign	Scale	1:500	Date	11/12/19	Drawn By	J. Collison	Checked By	A. Hibbard	Approved By	S. Humphrey	Project Name	ENABLING WORKS SOUTH
	Discipline	Highways	Discipline	Highways	Scale	1:500	Date	11/12/19	Drawn By	J. Collison	Checked By	A. Hibbard	Approved By	S. Humphrey	Project Name	ENABLING WORKS SOUTH	
Revision	<p><b>H2S2</b> Registered in England Registration No. 0791686 2 Show Hill, Quornway, Birmingham, UK B36</p> <p>Created/Originator COSTAIN SKANSKA JV</p> <p>Project Name RUSLIP PORTAL TO COPTHALL CUTTING</p> <p>Design Stage DETAILED</p> <p>Access Road MERCK SHARP &amp; DOHME ACCESS ROAD ACCESS ROAD INFRASTRUCTURE COMBINED PLANNING PLAN - SHEET 1</p>																
Revision	<p>1. All dimensions are in metres unless otherwise stated. 2. Design based upon OS grid and mapping. The TGD088</p>																





Layout revised	AV	25/10/19	AH	25/10/19	BH	25/10/19
Rev	Description	Drawn	Checked	Doc App	HSE Sign	Scale with caution as distortion can occur

Lighting Notes:  
 HSE Health and Safety Regulations 1989, which may have been amended, apply to the installation of this equipment and the installation of this equipment in any way.  
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Proposed steel lighting columns - Philips Luminaire height 5m  
 Proposed luminaire height 5m  
 Proposed Access Road  
 Proposed Force Line - Post and rail to boundary  
 Proposed Force Line - Post and rail to boundary  
 Proposed Force Line - Chain link with barbed wire to boundary  
 Limits of deviation  
 Limits of land to be acquired or used (LSU)

Proposed street lighting columns - Philips Luminaire height 5m  
 Proposed luminaire height 5m  
 Proposed Access Road  
 Proposed Force Line - Post and rail to boundary  
 Proposed Force Line - Post and rail to boundary  
 Proposed Force Line - Chain link with barbed wire to boundary  
 Limits of deviation  
 Limits of land to be acquired or used (LSU)

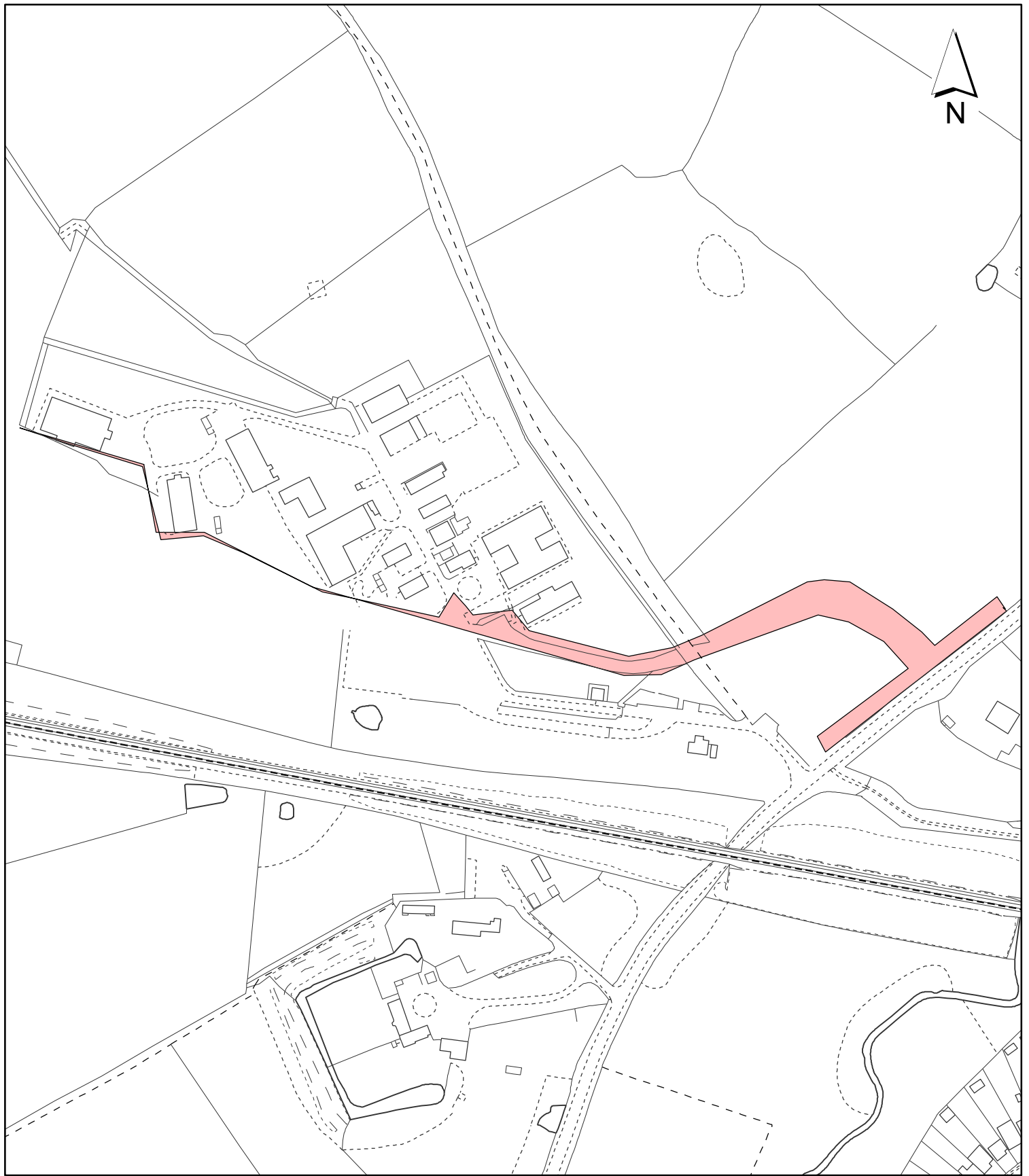
Proposed diverted highway: Set comprising gravel  
 Proposed 2.4m high security fence by BalfourBeatty Ltd  
 1. All dimensions are in metres unless otherwise stated.  
 2. Design based upon OS grid and mapping: The TD0585

H2S  
 Registered in England  
 Registered Office: 6791686  
 2 Snow Hill, Queensway,  
 Birmingham, UK B4 6QA  
 Creation/Originator: COSTAIN SKANSKA JV

Zone	RUISLIP PORTAL TO CPTHALL CUTTING	Discipline/Function	HIGHWAYS
Design Stage	DETAILED	Drawn	A.Yannoudis
Checked	A.Hibbard	Approved	S.Humphrey
Date	25/10/19	Scale	1:500
Sheet	A1	Size	A1
Project/Contract	ENABLING WORKS SOUTH	Drawing No.	1E/W02-CSJ-HW-DPL-SS05_SL07-300102

**FIT FOR ACCEPTANCE**





**Notes:**

 Site boundary

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Site Address:

**Merck Sharpe Dohme (MSD)  
 Site Off Breakspear Road  
 South Harefield**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**72870/APP/2019/2598**

Scale:

**1:2,800**

Planning Committee:

**HS2 Page 33**

Date:

**January 2020**



**HILLINGDON**  
 LONDON

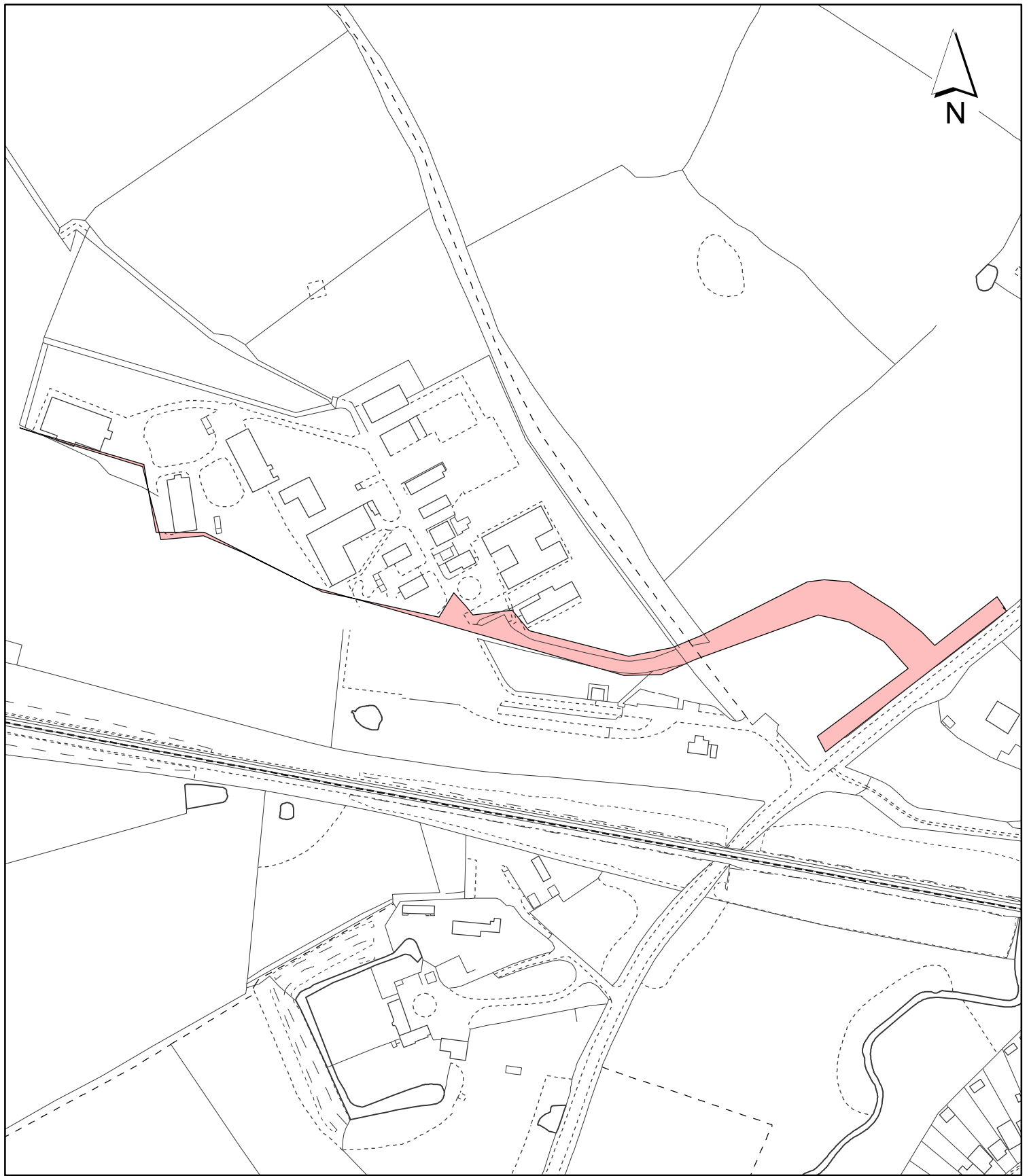
**Item No.**                      **Report of the Head of Planning and Enforcement**

**Address:**                      MERCK SHARPE DOHME (MSD) SITE OFF BREAKSPEAR ROAD SOUTH  
HAREFIELD

**Development:**                Request for approval of Plans & Specifications under condition imposed by  
Schedule 17 to the High Speed Rail (London-West Midlands) Act 2017  
(permanent above ground works comprising a road vehicle park, fences and  
external lighting, ancillary to the new access road)

**LBH Ref Nos:**                72870/APP/2019/2597

**Date Application Valid:**    8th August 2019



**Notes:**

 Site boundary

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 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**72870/APP/2019/2597**

Scale:

**1:2,800**

Planning Committee:

**HS2** Page 35

Date:

**January 2020**



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