

Report of the Head of Planning and Enforcement

Address: HP06 COMPOUNDS HARVIL ROAD HAREFIELD

Development: Lorry route submission under Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017 relating to Cadent Gas HP06 North and South compounds off Harvil Road, associated with a gas pipeline diversion: M40 to Harvil Road.

LBH Ref Nos: 73195/APP/2018/216

Drawing Nos:	Date of Plans:
Construction Compound Routes Gas Pipeline Diversion	17-01-2018
HP06 List of roads for approval	17-01-2018
HP06 Lorry Routes - Covering Letter	16-01-2018
HP06-HS2 Lorry Route Written Statement	17-01-2018

Drawing Nos:	Date of Amended Plans:
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Date Application Valid: 16th January 2018

1. SUMMARY

This application comprises a submission for approval of construction arrangements under Schedule 17 of the HighSpeed Rail (London-West Midlands) Act 2017 (The Act), in relation to the approval of lorry routes in connection with the Cadent Gas HP06 North and South compounds off Harvil Road, required for a gas pipeline diversion.

The application is the fourth 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 details relate purely to the lorry routes associated with diversion works required to lower an existing gas pipeline to an appropriate level, in order to accommodate the HS2 route, which will be in a cutting at this point.

Two (north & south) 'Gas Pipeline Diversion' site compounds are proposed, situated on the east side of Harvil Road, separated by the existing east/west Chiltern Railway line. The proposed lorry routes for all Large Goods Vehicles (LGVs) will utilise the following roads from the M40 motorway to the site compounds: A40, Swaleleys Road (B467) and Harvil Road.

There is no statutory obligation to consult with neighbours or other statutory bodies.

The applicant submits that the traffic impacts of the work have been assessed to be in keeping with the HS2 Environmental Minimum Requirements (EMRs), set out in the Planning Memorandum, although in this case, the proposed vehicle numbers/types trigger the need for approval of lorry routes.

HS2 Ltd has designed a proposal to suit the objectives of diverting an existing gas pipeline in order to maintain the continuity of the HS2 project. The routing is understood to have been optimised, but with no functional road network alternatives being available for consideration.

Nevertheless, the suggested construction routes will involve usage of the already heavily trafficked classified and Transport for London road network. The peak morning and afternoon traffic periods are considered to be of most concern, as these roads are running to over-capacity and the proposal will potentially add to current delays and congestion.

It is acknowledged that the majority of movements would be between the Tarmac Site off Harvil Road (to the west) and the HS2 Compounds, 40m further south of Harvil Road (to the east). The limited timeframe for the peak load of traffic, and what our consent is being sought for, is not considered to pose a significant impact on the road network. However, there are concerns about the timing of the traffic movements in general and these will need to be set out in the traffic management plan.

An informative is therefore recommended seeking a traffic management plan specific to the proposed works for this lorry route approval, indicating the measures to reduce impacts on peak hours of traffic (7.30 - 9.30am and 4.30 to 6.30pm).

2. RECOMMENDATION

APPROVAL

INFORMATIVES

1. IHS2 Informative HS2

Prior to the commencement of development, a traffic management plan specific to the proposed works for this lorry route approval should be agreed with the Local Planning Authority. This plan should indicate the measures to reduce impacts on peak hours of traffic (7.30 - 9.30am and 4.30 to 6.30pm).

3. CONSIDERATIONS

3.1 Site and Locality

Two (north & south) 'Gas Pipeline Diversion' site compounds are proposed to facilitate the delivery of HS2 operations, to be situated on the east side of Harvil Road, which is semi-rural and designated as a classified road situated to the west of West Ruislip. The north & south sites are separated by the existing east/west Chiltern Railway line.

Harvil Road which runs in a north-south direction, predominantly through a semi-rural area forms part of the proposed construction route to and from the compounds and connects with Swakeleys Road B467 (also with classified designation) to the south of both sites. The north end of Harvil Road connects to the village of South Harefield while the south end connects to the B467 with a short connection to the A40. Harvil Road is single carriageway and is mostly subject to a 50 mph speed limit, reducing to 30 mph through urban areas. There is a 7.5t weight limit through the village of South Harefield.

The proposed lorry route for all LGVs to the south and north access points will utilise the following roads from the M40 motorway:

- M40, A40, Swakeleys Road B467 and Harvil Road.

3.2 Proposed Scheme

This application comprises a submission request for the approval of lorry routes under Part 1, Paragraph 6 of Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017, in connection with the Cadent Gas HP06 North and South compounds, off Harvil Road, associated with a gas pipeline diversion.

The submission for approval of construction arrangements comprises the following documents:

1. List of roads subject to this approval
2. Written Statement
3. Plan of Construction Compound Routes

The proposed works are required to divert an existing gas pipeline to a lower level, to accommodate the HS2 route, which will be in a cutting at this section of the line. The works will comprise construction of a new gas pipeline route, requiring tunnelling works under the existing and proposed railway alignments and trenching on each approach. Once complete, the gas pipeline will be switched to the new alignment and the old alignment abandoned.

These works will require a site compound to be established either side of the diversion, to accommodate storage of plant, materials and offices. The South compound will be accessed via a new temporary site access to Harvil Road, on the bend just south of the existing overbridge..The North compound will be accessed via a new temporary site access to Harvil Road, north of the existing overbridge. The design of both access have been approved through a separate submission in accordance with Schedule 4 of the Act.

Vehicle movements to each site are independent of each other in terms of timing and key construction activities. Due to the presence of the Chiltern Line Railway, a considerable amount of

the daily LGV, cars and light vehicle movements will be necessary between the two access points off Harvil Road. (Large Goods Vehicles (LGVs) are defined as being goods vehicles exceeding 7.5 tonnes in gross weight. These will comprise rigid and articulated vehicles, usually with three or more axles).

These inter-site moves, which make up a significant proportion of the daily traffic flow, will peak at the start and completion of the day's work, as the workforce transit to and from the main construction base.

In addition to the lorry route approval subject to this submission, a number of other approvals will be required and sought by the nominated undertaker under the appropriate statutory and legal framework. These include highways consents under Schedule 4 of the Act, for the creation of the temporary accesses to the two compound sites.

3.3 Relevant Planning History

Phase One of HS2 will provide dedicated high speed rail services between London, Birmingham and the West Midlands. It will extend for approximately 230km (143 miles). Just north of Lichfield, high speed trains will join the West Coast Main Line for journeys to and from Manchester, the North West and Scotland.

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.

Section 20 of the Act deems planning permission to be granted for the development authorised by it, subject to the provisions of section 20 and conditions set out in Schedule 17.

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

The purpose of S17 of the Act 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 in S17, which requires the agreement of the nominated undertaker (HS2 Ltd).

The Act provides powers for the construction and operation of Phase One of HS2. Schedule 1 of the Act describes the 'scheduled works' that the nominated undertaker will be authorised to carry out. For the routes which are the subject of this lorry route application, HS2 Ltd is

the nominated undertaker.

Schedule 17 includes conditions requiring various matters to be approved by the relevant local planning authority. This is therefore a different planning regime to that which usually applies in England (i.e. the Town and Country Planning Act 1990) and is different in terms of the nature of submissions and the issues that the local planning authorities (LPAs) can have regard to in determining requests for approval.

The Planning Conditions set out in Schedule 17 of the Act requires the nominated undertaker to submit requests for approval to qualifying authorities for:

- Matters ancillary to development (referred to as construction arrangements), including lorry routes;
- Plans and specifications;
- Bringing into use; and
- Site restoration schemes.

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

In the case of this specific submission for 'Lorry Route' approval, it is considered that the S17 chapters pertaining to removing or reducing the prejudicial impacts on road safety and traffic free flow on the local highway network that are likely to be generated by the proposal are of most relevance.

Schedule 17 of the Act sets out the grounds on which the qualifying authority may apply conditions on approvals, or refuse to approve the requests for approval. This submission includes information supporting the lorry route submission in relation to the matters outlined above.

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 Heritage and ecological matters.

Part 1 Policies:

Part 2 Policies:

1. **AM2 Development proposals - assessment of traffic generation**

Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

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

Consideration of traffic generated by proposed developments.

3. **LPP 6.11 (2016) Smoothing Traffic Flow & Tackling Congestion**

(2016) Smoothing Traffic Flow and Tackling Congestion

4. **LPP 6.12 (2016) Road Network Capacity**

(2016) Road Network Capacity

5. **LPP 7.14 (2016) Improving air quality**

(2016) Improving air quality

6. **NPPF National Planning Policy Framework**

National Planning Policy Framework

6.0 COMMENTS ON PUBLIC CONSULTATION

6.1 EXTERNAL

Not applicable.

6.2 INTERNAL

HIGHWAY ENGINEER

It is clear that under the High Speed Rail (London-West Midlands) Act 2017, the power of determination of the approval by the 'Qualifying Authority', being Hillingdon Council, is constrained as compared with proceedings under the TCPA 1990. HS2 Ltd (nominated undertaker) has designed a proposal to suit the term objectives of diverting an existing gas pipeline in order to maintain the continuity of the HS2 project.

The routing is understood to have been optimised with no functional road network alternatives being available for consideration. The suggested construction routes will involve usage of the already heavily trafficked classified and TRLN road network. As is the norm, the peak morning and afternoon traffic periods are of most concern as these roads are running to over-capacity and the proposal will potentially add to current delays and congestion.

What is crucially missing from the submission is a complete 'itinerary of events' which would indicate the time-line distribution of the operational movements. Such information would indicate the

frequency of LGV movements during the aforementioned peak periods and the remaining working day. The anticipated impacts may in fact be demonstrated to be de-minimis to the road network capacity however in the absence of relevant information, a fully informed judgement cannot be made.

Also there is no reference to compound operational times which would again be relevant to understanding how the highway and general public amenity would be affected. It is understood that the compounds would function on 24/7 basis however this requires confirmation in writing. In the absence of the above information and in the spirit of the High Speed Rail (London-West Midlands) Act 2017, it is considered reasonable to recommend the imposition of a suitable planning condition that would deter LGV movements to and from the site during peak traffic periods.

The condition would restrict operations during the following periods to apply from Monday to Fridays only:-

- 7.30 am to 9.30 am
- 4.30 pm to 6.30pm

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

7.1 ROAD TRANSPORT

The proposed site compounds in Harvil Road will facilitate the diversion of an existing gas pipeline, which is required to accommodate the HS2 route. The site compounds will provide for storage of plant, materials and offices. There will be new temporary access arrangements for each compound which have been agreed under a separate submission under Schedule 4 of the Act.

Estimated LGV Numbers

South Site Access

It is estimated that up to 12 LGV (2 Way LGV movements), per day will be required during December 2017 and February 2018, associated with site establishment, deliveries of stone site cabins and shaft Diaphragm Wall shaft set up. During the remainder of the construction period it is estimated that the LGV movements will average between 12 and 15 (2 Way LGV movements) per day aside from:

- Between late January 2018 to the end of February 2018 when the estimated LGV movements will be up to 31 (2 Way LGV movements) per day during the construction of the diaphragm wall shaft. These additional movements are scheduled to occur for 6 days during this programme window to allow for the delivery of concrete for the diaphragm wall construction.

As traffic mitigation measures, the applicant submits that it has sourced the concrete from a local supplier at Skip Lane and has programmed for 2 of the 6 deliveries to coincide with the Spring Half Term Holiday. (12 th February 2018 - 16 th February 2018) The applicant submits that the impact to the strategic road network (SRN) overall as a result of this increase in vehicle movements will be minimal as a large percentage of vehicles movements will be from Skip Lane.

North Site Access LGV traffic generation

It is estimated that up to 12 LGV (2 Way LGV movements), per day will be required between December 2017 and mid March 2018, associated with site establishment, deliveries of stone and site cabins. During the remainder of the construction period it is estimated that the LGV movements will average between 12 and 15 (2 Way LGV movements) per day aside from:

- Between mid March 2018 to mid April 2018 when the estimated LGV movements will be up to 40 (2 Way LGV movements), per day during the construction of the diaphragm wall shaft. These additional movements are scheduled to occur for 5 days during this programme window to allow for the delivery of concrete for the diaphragm wall construction.

Similar to the south site access, as traffic mitigation measures, the applicant submits that it has sourced the concrete from a local supplier at Skip Lane and we have programmed for 2 of the 5 deliveries to coincide with the Easter Term Holiday. (29 th March 2018 - 16 th April 2018).

The applicant submits that the impact to the strategic road network (SRN) overall as a result of this increase in vehicle movements will be minimal as a large percentage of vehicles movements will be from Skip Lane.

The Highway Engineer notes that the two-way construction routing will involve north/southbound usage of Harvil and Swakeleys Road to a final destination which involves east/westbound utilisation of a small section of the A40 Western Avenue. The sites will generate Large Goods Vehicles (LGVs) movements along the designated construction routing with some traffic interplay between the two compounds which will include other staff and Light Passenger Vehicle movements.

The applicant submits that the traffic impacts of the work have been assessed to be in keeping with the HS2 Environmental Minimum Requirements (EMRs), set out in the Planning Memorandum although in this case, the proposed vehicle numbers/types trigger the need for approval of lorry route.

The Highway Engineer notes that HS2 Ltd has designed a proposal to suit the term objectives of diverting an existing gas pipeline in order to maintain the continuity of the HS2 project. The routing is understood to have been optimised, with no functional road network alternatives being available for consideration. Nevertheless, the suggested construction routes will involve usage of the already heavily trafficked classified and Transport for London road network. The peak morning and afternoon traffic periods are considered to be of most concern, as these roads are running to over-capacity and the proposal will potentially add to current delays and congestion.

The Highway Engineer further notes that what is crucially missing from the submission is a complete 'itinerary of events', which would indicate the time-line distribution of the operational movements. Such information would indicate the frequency of LGV movements during the aforementioned peak periods and the remaining working day. It is acknowledged that the anticipated impacts may in fact be demonstrated to be de-minimis to the road network capacity. However in the absence of relevant information, a fully informed judgement cannot be made.

In addition, there is no reference to compound operational times, which would again be relevant to understanding how the highway and general public amenity would be affected. It is understood that the compounds would function on 24/7 basis; however this requires clarification.

It is clear that under the High Speed Rail (London-West Midlands) Act 2017, the power of determination of the approval by the 'Qualifying Authority', being Hillingdon Council, is constrained as compared with proceedings under the TCPA 1990. In addition, it is acknowledged that the

majority of movements would be between the Tarmac Site off Harvil Road (to the west) and the HS2 Compounds 40m further south of Harvil Road (to the east). The limited timeframe for the peak load of traffic, and what our consent is being sought for, is not considered to pose a significant impact on the road network. However, there are concerns about the timing of the traffic movements in general, and these will need to be set out in the traffic management plan.

In light of the above, it is recommended that an informative should be included, requiring: a traffic management plan specific to the proposed works for this lorry route. This plan should indicate the measures to reduce impacts on peak hours of traffic (7.30 - 9.30am and 4.30 to 6.30pm).

8.0 BOROUGH SOLICITOR COMMENTS

The High Speed Rail Act 2017 received Royal Assent on 23 February 2017. Section 20 of the Act provides that planning permission is deemed to be granted under Part 3 of the Town and Country Planning Act 1990 for development authorised by the Act, subject to the other provisions of the Act and the conditions set out in Schedule 17. It is a condition of the deemed planning permission that the development must be begun no later than the end of 10 years beginning with the date on which the Act is passed. The planning permission conferred by the Act is analogous to an outline planning permission, which settles the principle of the overall development of Phase One of the HS2 scheme, whilst leaving certain details to be approved at a later stage.

The Council, in its capacity as a local planning authority, was given a choice between having a wide or narrow range of planning controls in place in relation to the development required in respect of Phase One of the HS2 scheme. The Council elected to become a qualifying authority which means that in practice, it has a wide range of controls at its disposal which for example, include the ability to approve the detailed design of permanent structures such as the Colne Valley Viaduct and also to have an enforcement and approval role in relation to certain construction matters.

Members will note that the recommendation in the report is for approval of HS2 Ltd's Schedule 17 application and an Informative has been added to the effect that prior to the commencement of development, a traffic management plan specific to the proposed works for the lorry route approval should be agreed with the Council.

It should be noted that Schedule 17 is very prescriptive about the manner in which qualifying authorities should determine applications submitted by HS2 Ltd. For example, such authorities may only refuse to approve plans or specifications, or impose conditions on approvals, on one or more of the statutory grounds set out in Schedule 17. On the basis that Members agree the recommendation to approve HS2 Ltd's application, they will not then need to go on to consider whether any of these statutory grounds apply in this particular case.

9.0 OTHER ISSUES

None.

10.0 REFERENCE DOCUMENTS

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

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HS2 Planning committee - 12th March 2018

PART 1 - MEMBERS, PUBLIC AND PRESS