

- 2 West Ruislip Portal Satellite Compound
- 3 Breakspear Road South Uxbridge Satellite Compound
- 4 Northolt Tunnel and Earthworks Main Compound
- 5 Harvil Road Realignment Satellite Compound

The application is the latest in a series of 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 that the applicant is seeking approval for relate purely to the lorry routes associated in connection with the demolition, construction, tunnelling and spoil removal; ground stabilisation and treatment works; utility diversions, structural and civil engineering works and all other activities for the purposes and in connection with the scheduled and ancillary works at the sites identified above.

The Authority is only considering the routes, and the specific arrangements necessary relating to the grounds set out in Schedule 17 (6)(1):

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

(a) the arrangements relate to development which, for the purposes of regulating the matter in question, ought to and can reasonably be considered in conjunction with development which has deemed planning permission under section 20(1) and which is to be carried out in the authority's area, or

(b) the arrangements ought to be modified

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

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

(iii) to preserve a site of archaeological or historic interest or nature conservation value, and are reasonably capable of being so modified.

It is anticipated that on average up to a peak of 400 two-way HGV movements for sites 1 to 5 will be generated on a daily basis between the period of programmed works extending over a 58 month period. This all encompassing submission therefore covers the majority of the movement of LGVs for the main works contracts to build the Northolt Tunnel and ancillary works east of Harvil Road. Separate submissions are anticipated for works to the west of Harvil Road for the construction of the Colne Valley Viaduct and ancillary works.

The movement of 400 LGVs throughout the course of a working day (8am to 6pm) will result in a considerable amount of additional movement on the network. Furthermore, there will be a considerable amount of additional non LGV related traffic for construction workers and staff; no information is currently available in relation to this matter.

Traffic modelling and available evidence demonstrate that the road network on which the LGVs are

to be routed is generally congested with little or no capacity for further growth. The HS2 Environmental Statement (2014) identifies the impact of the scheme as 'likely to have a significant environmental effect'. Modelling undertaken for recent investigations into the partial signalisation of Swakeleys Roundabout reveal that the AM and PM peak periods are heavily congested. This information was commissioned by HS2 Ltd to support the requirements of a Legal Agreement. The proposed partial signalisation of Swakeleys Roundabout was not agreed, in part because of the impacts of such a scheme would have on the wider network.

Although the submission is for a large amount of LGV movements on roads known to be congested and despite requests, no information on how the LGVs will be managed to reduce impacts on the road network have been provided. Such information should indicate the frequency of HGV movements during the AM and PM peak periods and the remaining working day. The programme could also be adapted to use the routes during the less busy school holidays. In addition, the Council has not been provided with a clear understanding of how HS2 Ltd intend to monitor traffic impacts and congestion, or what restrictions are placed on the movement of lorry movements in the peak hours. No information is therefore currently before the Council to indicate that a) HS2 Ltd understand and accept the available information (compiled by themselves) on the current state of the roads in the AM and PM peaks and b) that there is a clear and meaningful plan of action to manage LGV movements to meet the conditions set out in Schedule 17(6)(1).

The Council is also seeking to ensure there are suitable controls at the access and egress points of the worksites in order to avoid queuing on roads or the unsafe movement of lorries across highways. No information is available on these matters.

HS2 Ltd has advised that the issues raised should be covered by the Local Traffic Management Plan (LTMP) which forms part of the Environmental Minimum Requirements (EMRs). These form contractual obligations for the contractors to abide by and are said to be a statutory control providing comfort to the Local Authority that matters of concern are dealt with. However, the LTMP makes no reference to the movement of LGVs during peak times. The Council's concerns are therefore not dealt with through the EMRs. The LTMP also does not adequately describe or set out the control of movement to and from sites, so again, the EMRs are not sufficient. Finally, the LTMP and approach to monitoring of traffic numbers is somewhat ad hoc and on an infrequent basis and therefore inadequate in giving confidence that contractors would be accountable to the movement of LGVs.

The applicant has therefore been formally requested to agree the imposition of conditions to ensure the lorry routes and the arrangements are reasonably modified, so as to minimise the disturbance to the free flow of traffic and to ensure the safe operation of the highway network. Essentially, the Council is simply seeking to reach agreement on the level of LGV movements in the peak hours and to set out a robust monitoring regime in which the Council, as the Highways Authority, ensures the project is appropriately managed within the Borough.

The HS2 Act requires that any proposed conditions need to be agreed in writing with HS2 Ltd as the nominated undertaker.

No agreement has yet been reached about the imposition of the Conditions from HS2 Ltd. Without such agreement, the approach adopted by HS2 Ltd and the applicant is simply to have unfettered management of the routes set out in the submission with no clear mechanisms or controls in place.

Consequently, without the agreement to the conditions the proposals would have clear prejudicial effects on road safety and the free flow of traffic in the area.

2. RECOMMENDATION

RECOMMENDATION NOTES

RESOLUTION 1:

APPROVAL with non standard conditions:

Condition 1

Prior to commencement of the use of the routes set out in the application (except the route to the South Ruislip Vent shaft), a scheme to reduce and restrict the movement of LGV movements during peak hours (8am - 9am and 4.30pm to 6pm) shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall set out the maximum number of peak hour movements at Swakeleys Roundabout, the Harvil Road junction, the Breakspear Road South Junction and the Ickenham Road junction. The scheme shall also set the methods for recording and reporting the movements to highway authority on a weekly basis with information being available on written request at any other time. The use of the routes shall be carried out in accordance with the approved scheme.

Reason

To manage the LGV movements in the sensitive peak hour periods to avoid impacts on the free flow of traffic.

Condition 2

Prior to commencement of development, a scheme for the arrangements (e.g banksmen, stop/go signs, holding areas) to be used at the accesses to the work sites shall be submitted to and approved in writing by the highways authority. The scheme shall demonstrate that the movement into and from worksites shall be managed suitably to maintain a free flow of traffic (i.e. no queuing) and to maintain safety for other road and non-road users (i.e safe movements of LGVs from sites). The use of the routes shall be carried out in accordance with the approved scheme.

Reason

To manage LGV movements to and from sites to ensure no safety impacts on the highways.

OR RESOLUTION 2:

The following recommendation is made should the nominated undertaker (HS2 Ltd) not agree to the imposition of the above conditions:

REASON FOR REFUSAL

HS2 Ltd has failed to properly specify how their proposal would impact during traffic peak periods and how this impact would be assessed via a comprehensive monitoring regime. HS2 Ltd has therefore failed modify the proposed lorry routes, so as to minimise the disturbance to the free flow

of traffic and to ensure the safe operation of the highway network.

INFORMATIVES

3. CONSIDERATIONS

3.1 Site and Locality

These works are to take place within the Borough and are split across 5 sites that have the requirement for 12+ (24+ in/out movements) for LGVs (Large Goods Vehicles exceeding 7.5 tonnes in gross weight) and require Schedule 17 lorry route approval.

A description of these sites and their associated lorry routes is provided below:

South Ruislip Vent Shaft Main Compound

The site is located on a former industrial estate off the Victoria Road and is bounded by the Chiltern Main Line to the south-west, light industrial businesses to the north-west and Old Dairy Lane to the north-east. The access point which is located off Old Dairy Lane functions as both access and egress.

The works to be undertaken from this site include advance works such as site establishment works and utility diversions, the construction of the South Ruislip vent shaft and surface headhouse structure, tunnel and vent shaft fit out, vent shaft access road and railway installation works.

Lorry route: A40 (TLRN) - A312/Church Road - A312/Mandeville Road - Eastcote Lane North - Eastcote Lane - Field End Road - Victoria Road - Unnamed Road - Old Dairy Lane - worksite

The route to the South Ruislip Vent Shaft Main Compound starts in London Borough of Ealing and crosses into London Borough of Hillingdon at the Chiltern Mainline intersection with Field End Road. The route to site leaves the A40 (TLRN) at the Target Roundabout on to the north bound A312/Church Road, continuing onto A312/Mandeville Road, turning left onto Eastcote Lane North, continuing onto Field End Road, taking the first exit at the roundabout (i.e. left turn) onto Victoria Road and turning left onto an Unnamed Road to the Old Dairy Lane, which leads to the worksite. The worksite will utilise an existing access point.

West Ruislip Portal Satellite Compound

The site is bounded by B466 Ickenham Road to the east, Ruislip Golf Course to the north, Breakspear Road South to the west and the Chiltern Main Line to the south. The site has 2no. gates. One on Ickenham Road which is access only and the other on Clacks Lane which is egress only.

The works to be undertaken from this site include advance works such as enabling works and utility diversions, construction of tunnel portal, ramp structure and footbridge (west of Ickenham Road), construction of the portal structure and surface headhouse structure, diversion of the Ickenham Stream, assembly and launch of the tunnel boring machine (TBM), conveyor and narrow-gauge service railway for tunnelling logistics and embankment construction, portal building fit-out and installation of a new temporary logistics siding.

The TBM tunnelling activity will commence at West Ruislip and head eastwards towards Greenpark Way. In order to deliver the TBM to site, street furniture is required to be temporarily removed under Schedule 4 of the Act.

Lorry route: A40 (TLRN) - B467/Swakeleys Road - B466/High Road - B466 Ickenham Road - worksite (egress via Clacks Lane)

The route from TLRN to West Ruislip Portal Satellite Compound is entirely in London Borough of Hillingdon. The route leaves the A40 (TLRN) at the Swakeleys Roundabout heading north onto B467/Swakeleys Road, turning left onto B466/High Road continuing onto B466/Ickenham Road and finally left into the worksite. The worksite will utilise an existing access point.

Breakspear Road South Uxbridge Satellite Compound

The site is bounded by Breakspear Road South (at the MSD access road junction) to the west, River Pinn to the east, Chiltern Main Line to the south.

The works to be undertaken from this site include advance works such as enabling works and utility diversions, construction of Breakspear Road South underbridge, River Pinn underbridge, Gatemead Embankment, West Ruislip Retained Embankment, utility diversions and temporary tunnelling conveyor installation.

Lorry route: A40 (TLRN) - B467/Swakeleys Road - Breakspear Road South - worksite

The route from TLRN to Breakspear Road South Satellite Compound is entirely in London Borough of Hillingdon. The route leaves the A40 (TLRN) at the Swakeleys Roundabout heading north onto B467/Swakeleys Road, continuing northbound on the B467/ Breakspear Road South for approximately 2 km, turning right into the worksite. The access point is to be created by the Early Works Contractor (EWC).

Northolt Tunnel and Earthworks Main Compound

The site is an irregular shape and is bounded by Breakspear Road South in the east and Harvil Road to the west. To the north, the worksite is bounded by farmland, parts of which will be the subject to the sustainable placement of surplus excavated material (Northern Sustainable placement Area) and a Pharmaceutical Research Facility. To the south the worksite is bounded by the Chiltern Main Line.

The works to be undertaken from this site include advance works (such as site establishment works and utility diversions), Copthall tunnel and excavated materials transfer to Northern

Sustainable Placement Area, Copthall tunnel works, HS2 permanent siding works, Harvil Road re-alignment works, construction of Harvil Road bridges (3no.), culvert for Newyears Green Bourne and excavated tunnel material treatment and transfer to the Southern and Northern Sustainable Placement Areas.

Lorry route: A40 (TLRN) - B467/Swakeleys Road - Harvil Road - worksite

The route from the TLRN to Northolt Tunnel and Earthworks Main Compound is entirely in London Borough of Hillingdon. The route leaves the A40 (TLRN) at the Swakeleys Roundabout, heading north onto B467/Swakeleys Road, taking the first exit at the roundabout onto Harvil Road. There are 2no. site access points off Harvil Road. The first is known as the south access, located south of the Chiltern Mainline intersection and the second known as the north access, located north of the Chiltern Main Line. Both access points require a right turn from Harvil Road (north bound). Harvil Road crosses the Chiltern Main Line via a bridge immediately after its junction with Skip Lane. Both access points are to be created by EWC and Cadent Gas.

Harvil Road Realignment Satellite Compound

The worksite access is located on Harvil Road approximately 1.6 km from its junction with B467/Swakeleys Road. This area has predominantly farmland with the Hillingdon Outdoor Activities Centre.

Lorry route: A40 (TLRN) - B467/Swakeleys Road - Harvil Road - worksite

The route from the TLRN to Harvil Road Realignment Satellite Compound is entirely in the London Borough of Hillingdon. The route leaves the A40 (TLRN) at the Swakeleys Roundabout heading north onto B467/Swakeleys Road, taking the first exit at the roundabout onto Harvil Road, continuing northbound and turning right into the worksite immediately after crossing the bridge over the Chiltern Main Line. The worksite access point is north of the Chiltern Main Line. The access point is to be created by EWC and Cadent Gas.

Haul Road

For the duration of the works, a temporary haul road crossing point will be created to link all the West Ruislip S2 worksites between Harvil Road and Ickenham Road i.e. Northolt Tunnel and Earthworks Main Compound, Harvil Road Realignment Satellite Compound, Breakspear Road South Uxbridge Satellite Compound and West Ruislip Portal Satellite Compounds.

The haul road crossing point will be approximately at the location of the existing MSD access and the point where U46 meets Breakspear Road South. The Principal Contractor will be responsible for the safety management of the Haul Road and Haul Road crossing ensuring that mud is not tracked onto the local roads.

During pre-application consultation, London Borough of Hillingdon identified the availability of the Haul Road as an important consideration to the approval of the proposed route in the context of reducing LGV numbers on the roads and consequently promoting to the free flow of traffic.

The installation of the haul road has started and is expected to be operational when the LGV peak movements are predicted as a result of activities such as TBM works, removal of excavated material and, concrete, infill material and steel reinforcement deliveries.

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 following works:

- Advance works including: worksite establishment works, Haul Road construction, footpath and watercourse diversions, preliminary mitigation and enabling works; utility diversions, earthworks and structural works.
- South Ruislip vent shaft and surface headhouse structure, tunnel and vent shaft fit out; vent shaft access road and railway installation works.
- Tunnel Portal and ramp structure and footbridge (west of Ickenham Road); portal structure, surface headhouse structure, Ickenham Stream diversion; tunnel boring machine (TBM) assembly and launch; temporary conveyor and tunnelling logistics; embankment construction; portal building fit-out and installation of a temporary tunnelling logistics siding.
- Breakspear Road South underbridge, River Pinn underbridge, Gatemead Embankment, West Ruislip Retained embankment, utility diversions; tunnel spoil logistics conveyor.
- Copthall tunnel works, HS2 permanent siding works, Harvil Road realignment works i.e. Bridges over the Chiltern Main Line and culvert for Newyears Green Bourne.
- Earthworks Treatment facility to treat tunnelling spoil
- And all other activities for the purposes and in connection with the scheduled and ancillary works.

These works will be carried out from the following 5 separate sites. Core working hours range from 8am to 6pm during the weekday & 8am to 1pm on Saturdays with estimate numbers of average daily LGV movements related to each of the sites as follows:-

- 1)South Ruislip Vent Shaft Main Compound..... 120/day peaking at 140.
- 2)West Ruislip Portal Satellite Compound..... 120 -140/day.
- 3)Breakspear Road South Uxbridge Satellite Compound.....40-50/day.
- 4)Northolt Tunnel and Earthworks Main Compound.....240-290/day.
- 5)Harvil Road Realignment Satellite Compound.....No detail but Haul Road is anticipated to contribute to management of impacts on the highway network

The roads being used are set out below for each of the above compounds:

- 1 - South Ruislip Vent Shaft Main Compound
Eastcote Lane North / Field End Road
Victoria Road
Unnamed Road Grid Ref: TQ110857 (X 511038 - Y 185788)
Old Dairy Lane

- 2 - West Ruislip Portal Satellite Compound

B467 Swakeleys Road
B466 High Road / Ickenham Road
Clacks Lane

3 - Breakspear Road South Uxbridge Satellite Compound
B467 Swakeleys Road
Breakspear Road South

4 - Northolt Tunnel and Earthworks Main Compound
B467 Swakeleys Road
Harvil Road

5 - Harvil Road Realignment Satellite Compound.
B467 Swakeleys Road
Harvil Road

Collectively and in combination with Align LGV movements (for the Viaduct and ancillary works), it is anticipated that the programme and routing will result in a maximum of a little over 400 LGVs per day at Swakeleys Roundabout; this is the point of access to the A40 (the main strategic trunk road) where all the routes link to. The dispersal of the LGVs from Swakeleys Road along the various roads is complex and programme dependent.

The total activity is slated for 58 months with a month peak of over 400 movements in 'month 47'. There is no commitment to a specific calendar month and year as to when month 47 might occur.

Outside of Month 47 there is a variable degree of LGV movements. 35 of the 58 months will see more than a combined total of 150 or more LGV movements. 12 of those months have a peak load of 300 or more movements per day. The programme includes a 6 month intensive period around Month 47 which will see daily movements of over 300 LGVs. Consequently, concerns with the movements span the majority of the programme.

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. It is detailed in the following paragraph that:

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

(a) the arrangements relate to development which, for the purposes of regulating the matter in question, ought to and can reasonably be considered in conjunction with development which has deemed planning permission under section 20(1) and which is to be carried out in the authority's area, or

(b) the arrangements ought to be modified

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

- (ii) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or
 - (iii) to preserve a site of archaeological or historic interest or nature conservation value, and are reasonably capable of being so modified.
- (6) The relevant planning authority may only impose conditions on approval for the purposes of this paragraph
- (a) with the agreement of the nominated undertaker, and
 - (b) on the ground referred to in sub-paragraph (5)(b)

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 Local Plan 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 Green Belt, Biodiversity and Flood Risk Management.

Part 1 Policies:

Part 2 Policies:

1. DMT 2 Highways Impacts

Highways Impacts

2. DMT 4 Public Transport

Public Transport

3. LPP 6.12 (2016) Road Network Capacity

(2016) Road Network Capacity

4. NPPF- 9 NPPF 2018 - Promoting sustainable transport

NPPF-9 2018 - Promoting sustainable transport

6.0 COMMENTS ON PUBLIC CONSULTATION

6.1 LONDON BOROUGH OF EALING

No response.

TRANSPORT FOR LONDON (TfL)

There is nothing within the submission that has raised concern. However, use of the TLRN and borough roads must reflect and take into account road safety, environmental and network impact issues, which will vary depending on specific locations and local conditions. In particular we need to acknowledge the unique challenges presented by working in London and how HS2 lorry routes will interact with Healthy Streets proposals and the Mayors Transport Strategy.

We understand that works relating to this application are predicted to generate a significant amount of LGV traffic but still less than assessed in the HS2 Environmental Statement (ES). In line with Mayors Transport Strategy (MTS) and Vision Zero we expect vehicles related to this application to seek to avoid vehicles entering central London in the AM peak to help meet the Mayors proposal to reduce the number of Lorries and vans entering central London in the morning peak by 10 per cent by 2026.

We acknowledge that the nominated undertaker will adopt a vehicle management strategy in line with HS2's Route Wide Traffic Management Plan (RTMP). These measures, plus other control mechanisms outlined in the Environmental Minimum Requirements (EMRs) and Code of Construction Practice (CoCP), seek to reduce the risk to vulnerable roads users and environmental impact from the proposed lorry routes.

We anticipate that HS2 Ltd will seek to comply with the HGV Safety Permit Scheme for London. The Scheme's objective is to address London's particular problem with collisions between HGVs and vulnerable road users such as pedestrians and cyclists by improving the safety of the HGVs coming into the capital.

It would be useful to see more detailed breakdown for LGV trips in the peak periods rather than just stating a number in a day. I appreciate that due to construction types and phases this is hard to be exact with but an indication of circa 20 LGV between the hours of X and Y could prove beneficial (this data could be provided in subsequent LTMP's)

6.2 HIGHWAY ENGINEER

Site Proposals & Description of Works

The submission relates to attaining approval for the movement of Large Goods Vehicles (LGVs) and workforce activity to and from the following five site compounds:-

- 1) South Ruislip Vent Shaft Main Compound
- 2) West Ruislip Portal Satellite Compound
- 3) Breakspear Road South Uxbridge Satellite Compound

- 4)Northolt Tunnel and Earthworks Main Compound
- 5)Harvil Road Realignment Satellite Compound.

LGV Traffic Generation

It is noted that under Schedule 17 of the HS2 Act 2017 - Lorry Route approval is a requirement when LGV movements exceed 24 per day however the suitability of the proposed road junction/points of worksite access arrangements fall under a separate schedule 4 (parts 1/2) of the Act and therefore any submitted access arrangements within this S17 appraisal are considered indicative at this stage.

It is noted that other Environmental Minimal Requirement (EMR) documentation such as the Route Wide & Local Traffic Management Plans (RTMP/LTMP respectively) do not form part of the LGV route approval submission although LGV routing is established and detailed within the latter document (no: 1MC04-SCJ-HW-PLN-S002-000004). The purpose of this S17 application is purely to ascertain the acceptability (or otherwise) of the level of HS2 Ltd related traffic burden on baseline traffic network flows.

Although initially absent from this particular S17 submission, subsequent information has been received with regard to the 'histogram' profile of anticipated usage over the projected 58 month construction phase commencing March 2020. However the information is formatted on a 'monthly use' basis which indicates peak daily activity, in months 20 & 47, whereby 400 LGV's would be anticipated in each of the said months.

Core working hours range from 8am to 6pm during the weekday & 8am to 1pm on Saturdays with estimate numbers of average daily LGV movements related to each of the sites as follows:-

- 1)South Ruislip Vent Shaft Main Compound..... 120/day peaking at 140.
- 2)West Ruislip Portal Satellite Compound..... 120 -140/day.
- 3)Breakspear Road South Uxbridge Satellite Compound.....40-50/day.
- 4)Northolt Tunnel and Earthworks Main Compound..... 240-290/day.
- 5)Harvil Road Realignment Satellite Compound.....No detail but Haul Road is anticipated to contribute to a reduction in direct impact on the highway network.

It is accepted that the proposed linkage 'Haul Road' would also contribute to reducing some direct highway impacts particularly between activities linked to (and between) sites 2, 3 & 4.

HS2 Ltd indicate that more detailed and relevant traffic flow analysis is contained and established within complementary Environmental Statement (ES) documents such as the Phase 1 ES - Volume 5 Traffic & Transport appraisal which set limits in HGV site related activity that should be reflected within all relevant and subsequent S17 submissions. However detail of the anticipated levels of highway impact due to LGV and workforce related movements has, as part of the ES process, been inputted directly into HS2's 'WelHam' traffic assignment model hence LGV numbers relevant to this and other S17 submissions cannot be fully assessed without direct access to this modelling tool and background information.

As it stands - the 'broad-brush' daily figures provided are relatively unproductive as key LGV activity during the morning and afternoon peak highway periods cannot be extrapolated. Such information is therefore considered crucial to this authority as it allows for an appraisal of any associated traffic burden inflicted by HS2 Ltd operations during the most sensitive and acute periods of baseline traffic network activity. A clear presentation of data linked to the latter (i.e. baseline traffic network levels) would also be considered a reasonable demand with specific regard to the highway network directly affected by proposed routing.

Clearly and ideally it is the strong intention of this highway authority to ensure that peak traffic periods are avoided in full or in substantive part to ensure least possible harm.

Without this information and given that this borough had not been party to the aforementioned traffic assignment modelling process, it is not possible to make an informed decision on the acceptability (or otherwise) of 'end-game' impacts of HS2 Ltd activities at the most crucial morning and afternoon/early evening traffic periods.

Hence, as is common to all S17 'Lorry Route' applications, it would be expected that an analysis of the said 'peak hour' activity impacts on the highway network form the dominant part of the submission for appraisal.

Highways Summary

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) have designed proposals with routing to suit the term objectives of maintaining continuity of the HS2 project. This routing has been optimised and secured within the LTMP with no realistic or functional road network alternatives being available for further consideration.

The suggested construction routes will involve usage of the already heavily trafficked 'Classified' and TLRN road network. As is the norm, the peak morning and afternoon traffic periods are of most concern as some of these roads are running to over-capacity and the proposal will potentially add to current delays and congestion.

Crucially, what is missing from the submission is reference as to how the proposal would impact during traffic peak periods with a time-line distribution of the operational movements. Such information would indicate the predicted frequency of LGV movements during the aforementioned peak periods and the remaining working day. Without this detail a fully informed judgement cannot be made.

Conclusion

Unless satisfactory detail/information is submitted, this application should be refused on the premise of an absence of submitted detail as outlined above. Alternatively, and in the spirit of schedule 17 of the High Speed Rail (London-West Midlands) Act 2017, it may be deemed appropriate to recommend approval subject to the imposition of following condition:-

"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 hour traffic (0730-0930 and 1630-1830) 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 traffic management plan together with a comprehensive Highway

network monitoring regime applied throughout the period of works".

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

7.1 Road Transport

Matters for consideration

The Council is heavily constrained as to what it can consider with Schedule 17(6) submissions. However, these constraints are not so removed as to be entirely ineffective. The Council is a Qualifying Authority which provides more controls than non-Qualifying Authorities. As a Qualifying Authority, the Council can consider the arrangements necessary to ensure the free flow of traffic and safe operation of the roads.

Amount of Traffic

The amount of LGV traffic associated with this submission and in accumulation with other HS2 works is significant. At its peak (lasting a month) the LGV numbers surpass 400. That equates to 40 every hour or 1 every 90 seconds. The road network is already at capacity and therefore not only does the sheer volume of traffic pose a concern but so too do the management of the LGVs, particularly if there is a delay creating a bottleneck at access points.

As submitted, the applicant is presenting a situation of unfettered use of the road network with no limitations on the movement of LGVs in peak hours or restrictions of peak working times to school holidays when the roads are invariably quieter.

Essentially there is no hurdle or controls to restrict vehicular movements at peak hours. This is of a clear concern given the traffic all converges at one of the few access points to the A40 and major strategic network.

Supporting Evidence

The Council signed a Legal Agreement with HS2 Ltd in 2017. This required an investigation into whether partial signalisation of Swakeleys Roundabout (junction with A40 and ultimately the network subject to this submission) would be beneficial in further managing the HS2 traffic to minimise impacts on the network.

TFL advanced this proposal which was commissioned by HS2 Ltd. As part of the proposal, further modelling and assessment work was undertaken on the roundabout and the supporting network.

This evidence supported the conclusions in the original HS2 Environmental Statement that the network is problematic particularly at peak times. It identified congestion at peak times on major junctions, i.e. roads leading to Swakeleys Roundabout and at Harvil Road, Breakspear Road South and into Ickenham.

The study confirmed that the partial signalisation of the roundabout would be beneficial to the movement of HS2 LGVs off the roundabout, and would provide a legacy benefit when HS2 was completed, but did not adequately demonstrate the impacts on the wider network i.e. if vehicles moved away from the roundabout (managed by TFL) quicker, then they are likely to block up other

parts of the network (managed by the Council).

Finally, the modelling also showed that the congestion from HS2 traffic would also result in reassignment of some traffic. However, this was not adequately assessed and has never been properly assessed by HS2 Ltd.

The proposal was not taken forward.

The Council's concerns regarding the amount of traffic are supported by the evidence commissioned by HS2 Ltd to support the Swakeleys Roundabout proposal. This evidence has not been presented as part of this submission, indeed no further information has been provided by the applicant who relies on the Environmental Statement 2014 for an analysis of the scheme. For avoidance of doubt, the Environmental Statement assesses the impacts of HS2 traffic on the roads in question:

Summary of likely significant residual effects*

During construction of the proposed scheme, there will be increases in traffic flows on local roads in the area due to construction traffic accessing the site compounds. Changes in traffic flows will lead to congestion, increasing delays at: B467 Swakeleys Road/Harvil Road; B467 Swakeleys Road/Woodstock Drive and Swakeleys Roundabout (A40 Junction).

Planning Appeal

The Council has previously refused a Schedule 17(6) submission following a lack of agreement over the use of conditions to control the flow of traffic. The refusal was overturned on appeal and the conditions not imposed. Consequently, the Council has no control over that submission beyond the access and egress arrangements which were allowed.

The requested conditions covered the movement of LGVs in the peak period and a monitoring and reporting regime.

With regards to the movement of LGVs in the peak period, the Inspectorate found that the Council had no evidence to substantiate the request for the numbers set within the condition. Unlike in normal planning submissions, if there is insufficient information with a HS2 Schedule 17(6) submission then the Council is requested to provide evidence if it takes a contrary view to HS2 Ltd. It is assumed that despite evidence being available as to the need to manage peak time movements, that this was not sufficient and that HS2 Ltd needed more persuasive information.

With regards to monitoring regimes, the Inspectorate found that these provisions were required elsewhere through environmental minimum requirements (EMRs) that accompany the Act; they form a statutory requirement which the Council should not duplicate through controls in the Schedule 17(6) submission process.

The concerns raised in this submission are similar to that appealed scheme. However, there are clear differences:

1 - The amount of traffic is far more impactful for this submission (over 400 LGVs per day). The evidence from the Swakeleys Roundabout study fills a gap that HS2 Ltd has been reluctant to fill. It

is considered that the combination of additional movements and supporting evidence satisfies the need to identify and demonstrate harm from the proposal.

2 - The Council has more evidence on the lack of efficacy of the monitoring of vehicle movements. HS2 Ltd maintains that there are mechanisms in place for monitoring vehicle movements but continues to be unable to point to a clear procedure beyond reporting numbers to a 6 weekly Traffic Liaison Group (TLG - which the Council sits on). No such information was available at the most recent TLG meeting (February 2020). Officers remain entirely underwhelmed by the level of information provided and that there does not appear to be a robust reporting mechanism, nor is there a requirement for such a procedure.

Approach

Officers would like to ensure that any approval would not have a negative impact on the free and safe movement of traffic and that any arrangements necessary to minimise the harm are reasonable. If the Council is being asked to ensure the routes are managed in a safe and efficient manner, then a sufficient amount of information needs to be provided. Initially, there was limited information on the arrangements related to the above.

The Highway Engineer considers that the 'broad-brush' daily figures provided are relatively unproductive, as key LGV activity during the morning and afternoon peak highway periods cannot be extrapolated. Such information is considered crucial, in order for the Council to assess the implication for any associated traffic burden inflicted by HS2 Ltd operations during the most sensitive peak periods.

Consequently, the following further information was sought from the applicant:

1. Background information on the assessment of traffic along the routes in light of the changes to the project. How the existing flow of traffic will be impacted by the proposals. This then informs the types of arrangements necessary to secure the free flow and safe movement of traffic.
- 2 -Details of the arrangements to manage peak hour traffic
- 3 -A breakdown of the traffic numbers (including programme) in cumulation with the rest of the project -
- 4 -A clearer indication of when the routes will be used
- 5 -How traffic numbers will be monitored and recorded and how these will be reported to the Council with respect to the numbers along these routes.

The applicant has provided the following response to the issues raised above:

1. The assessment of traffic is set out within the Environmental Statement (ES) which was deposited with the Bill documents. The ES includes the scope of the assessment of the environmental effects of the project and where significant adverse effects are expected to arise during the delivery of the project. The project required to seek to minimise its environmental effects, but not the specific significant adverse effects identified in the ES, in accordance with the General Principles document. The General Principles document sets out that the project cannot create new significant adverse effects beyond those set out in the ES, unless those effects were not reasonably foreseeable at the time that the ES was prepared.

Should the assumptions regarding construction activities significantly diverge from those in the ES,

then the project is required to assure that no new significant adverse effects arise as a result of those changes, or that they are mitigated so that they are no longer significant. However, this would be assessed against the conditions contained in the ES, rather than new conditions, so that any changes beyond the control of HS2 are discounted, such as traffic growth beyond that assumed in the ES. The passing of the High Speed Rail (London-West Midlands) Act in 2007 provides the nominated undertaker with the planning permission to construct the railway, apart from certain planning requirements such as lorry route approvals under Schedule 17.

2. The Vehicle Management System (VMS) will limit the number of vehicles that are able to book during the peak periods which will ensure free flow of traffic, the VMS can be amended to reduce the number of vehicles able to book into certain time slots so should there be an issue or continuous disruption. The VMS system is being built with Align (C1 Contractor) also inputting into the system to prevent HS2 works impacting on the area.

3. The HS2 Phase One Route-wide Traffic Management Plan (RTMP) sets out that contractors should provide, where available, forecasts of flow assumptions within their Local Traffic Management Plans (LTMPs) which are prepared for consultation in accordance with the Code of Construction Practice. These forecasts need to be comparable to those in the ES - i.e. averaged peak flows over the busiest month. The RTMP, which has been consulted on with all highway authorities along the HS2 Phase One route. How the project will collect, and reasonably provide traffic flow information to highway authorities via the relevant Local Traffic Liaison Group meetings is also set out in the RTMP.

4. A histogram has been provided. This indicates a 58 month construction programme with a peak of over 400 lorry movements per day at month 47 of the programme.

5. Vehicles are booked in via the Vehicle Management System which will limit the number of vehicles allowed to enter a site per day, these are detailed within the LTMP. When a supplier books a slot on the VMS they provide data about the vehicle - reg number, driver etc. This data will be available for gate staff when it arrives.

Once the booking has been accepted in the VMS, the vehicle will proceed to site at the given time/day, details are checked against the details held in the booking, a record of attendance is held at the site gates which is then fed back into the VMS, creating a feedback loop. These numbers should correlate to the number of vehicles booked into the system, a reason for VMS not matching the gate count could be a "no show". Updates for vehicle numbers predicted / actual will be given at local Traffic Liaison Group (TLG) meetings.

The contractor's comments on the VMS should be read in the context of HS2 Ltd's confirmation of this procedure:

"Each contractor has developed their own vehicle monitoring system which will be used to provide data to HS2 to input into an overarching system as long-range, medium-range and short-term forecasts. The forecasts and information on actual flows vs the forecasts can be shared at the TLG meetings as summary evidence. However, the data or access to the system will not be provided to the highway authorities."

There is no scope for this information to be shared with the Council. Officers are clearly concerned about this lack of collaborative working arrangement giving further credence to concerns about the conditions set out in Schedule 17(6).

Limiting vehicle movements through the peak period on the busy road network is considered to be evidently necessary. HS2 Ltd is well aware of the evidence requiring the need to manage peak level traffic.

The applicant was therefore requested to agree the following conditions in order to allow the roads to be used with a free flow of traffic to ensure delivery of the project whilst not unduly impacting on other businesses and residents

1. full details of the methods to reduce the impacts of HGVs movements during peak hours (7am - 9am and 4.30pm to 6pm) as well as the methods for recording and reporting the movements to the highways authority.
2. full details of arrangement to be used at the accesses to the work sites. The scheme shall demonstrate that the movement into and from worksites shall be managed suitably to maintain a free flow of traffic and to maintain safety for other road and non-road users.

Without these conditions, there is a genuine and real concern that:

- a) HS2 movements will be carried out when they want and with little regard for the capacity of the road network or other users and
- b) the movement of vehicles would be unmonitored and unreported, resulting in very little oversight.

Without these conditions, officers are of the opinion that the proposal would have a prejudicial effect on road safety and the free flow of traffic and accordingly should be refused.

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 is a qualifying authority which, in principle at least, means that it has a wider range of controls at its disposal than if it were a non-qualifying authority.

This application essentially involves a request from HS2 Ltd for approval for the movements of large goods and vehicles to and from the 5 worksites identified in the report which is governed by Schedule 17, paragraph 6 of the 2017 Act. This provision states:

'If the relevant planning authority is a qualifying authority, development must, with respect to the matters to which this paragraph applies, be carried out in accordance with arrangements approved by that authority'.

Schedule 17, paragraph 6 further provides:

'The qualifying 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 qualifying authority may only impose conditions on approval for the purposes of this paragraph-

with the agreement of the nominated undertaker, and

on the ground referred to above'.

Applying these legal principles to this particular application from HS2 Ltd, there are essentially three options open to Members of the Sub-Committee:

1. Approve the application;
2. Approve the application subject to the imposition of conditions;
3. Refuse the application.

Please note that if Members want to attach conditions to an approval, the agreement of HS2 Ltd will be required and not only will Members need to be satisfied 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 but that they are also reasonably capable of being so modified - this is a difficult legal test to overcome.

If Members want to refuse the application, then the same legal test as that set out above will apply .

As is demonstrated in the report, HS2 Ltd has provided insufficient information in support of their application and therefore they have been formally requested to agree to certain conditions so as to ensure that the disturbance to the free flow of traffic is minimised and also to ensure the safe operation of the highway network.

There is an existing High Court decision in place and also a Planning Inspector's appeal decision which both have a bearing on this application. With regard to sufficiency of information, both decisions state that HS2 Ltd can justifiably rely upon the Environmental Minimum Requirements, which have no statutory force as such, although the High Court did rule that although there is no express provision in Schedule 17 of the HS2 Act on a local planning authority to seek further information from HS2 Ltd, such a power can readily be implied as part of such an authority's decision-making function. HS2 Ltd is also under an implied obligation to cooperate with reasonable requests from a local authority.

The Planning Inspector, in his appeal decision, also dealt with the issue of justification for refusal. He found that the Council did not justify why the arrangements ought to be modified and therefore it has not demonstrated that it is reasonably capable to modify the arrangements under Schedule 17 paragraph 6, namely to prevent or reduce prejudicial effects on road safety or on the free flow of

traffic in the local area.

Although the Planning Inspector's decision is not a court ruling, it should nevertheless be something which Members should have proper regard to.

In the body of the report, it is stated that the concerns raised in this submission are similar to those which were the subject of the appeal but there are important differences. Firstly, the degree of traffic is much more significant in relation to this particular application . Secondly, the Council has more evidence on the lack of efficacy of the monitoring of vehicle movements. At the Sub-Committee Meeting on 4 March, officers will speak to these particular matters, together with providing an overview of the application and what issues Members should take into account, in more detail.

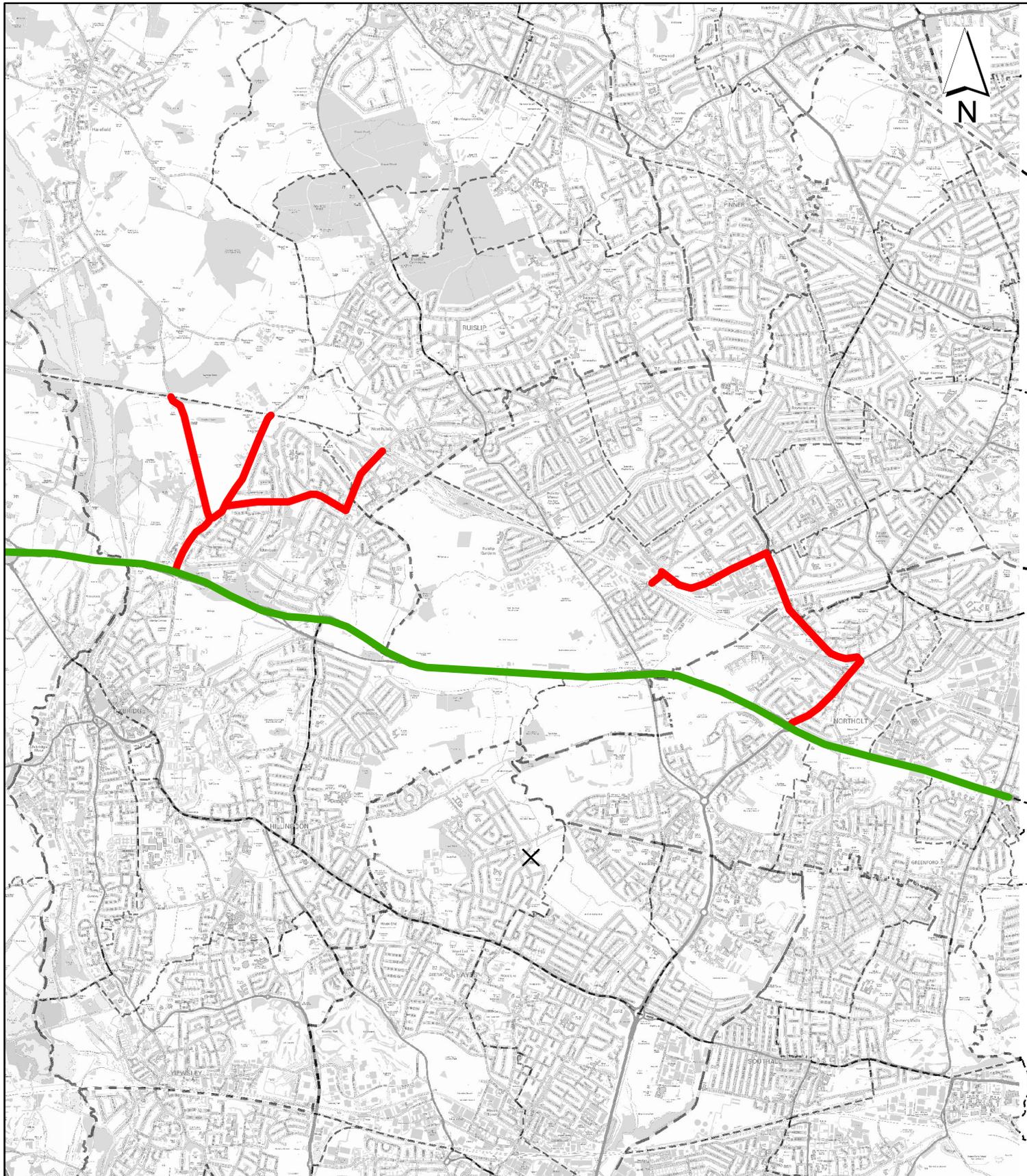
9.0 OTHER ISSUES

None.

10.0 REFERENCE DOCUMENTS

HighSpeed Rail (London-West Midlands) Act 2017.

Contact Officer: Karl Dafe **Telephone No:** 01895 250230



Notes:

 Site boundary

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Site Address:

**South Ruislip and West Ruislip Worksites
 Harvil Road, Old Dairy Lane, Clacks Lane,
 Breakspear Road South**

Planning Application Ref:

75369/APP/2020/288

Scale:

1:54,372

Planning Committee:

Central & South

Date:

March 2020

**LONDON BOROUGH
 OF HILLINGDON**

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