

## Minutes



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

4 March 2020

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

	<p><b>Sub - Committee Members Present:</b> Councillors Steve Tuckwell (Chairman), Eddie Lavery (Vice-Chairman), Nicola Brightman, Roy Chamdal, Becky Haggar, Janet Duncan and John Oswell</p> <p><b>LBH Officers Present:</b> Raj Alagh (Borough Solicitor), James Rodger (Head of Planning, Transportation and Regeneration), Anisha Teji (Democratic Services Officer) and Ian Thynne (Planning Specialist Team Leader)</p>
17.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
18.	<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>
19.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meetings held on 8 January 2020 and 16 January 2020 be agreed as a correct record.</p>
20.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
21.	<p><b>TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED IN PUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items were marked Part 1 and would be considered in public.</p>
22.	<p><b>LAND WITHIN THE COLNE VALLEY (NEAR HARVIL RD/MOORHALL RD), MOORHALL ROAD, HAREFIELD - 74320/APP/2019/3187</b> (<i>Agenda Item 6</i>)</p> <p><b>Request for approval of plans and specifications under condition imposed by Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017 relating to the design and external appearance of the Colne Valley viaduct (part of Scheduled Work 2/1), associated earthworks and the location of</b></p>

**fencing. (Commencing at a point 60 metres to the southeast of the existing Harvil Road alignment and 255 metres north of the Harvil Road crossing of the Chilterns Line; terminating at a point 120 metres west of the A412 - North Orbital Road and 180 metres west-northwest of Weybeards Cottages).**

Officers introduced the report and provided an overview of the application. It was noted that the information requested had not yet been made available and the Environment Agency had been unhelpful in assisting with the Council's consideration of the viaduct. Officers made a recommendation to defer the application for further information

The Borough Solicitor advised the Sub - Committee that if a Schedule 17 application was not determined within an eight week period or an extension of a time agreed in writing with HS2 Ltd, then HS2 was entitled to appeal to the Secretaries of State and they would then be able to recover the appeal or delegate it to the Planning Inspector. If HS2 did decide to appeal, a report would still need to be put before the Sub - Committee at some point for Member consideration.

The officer's recommendation was moved and seconded, and upon being put to a vote, unanimously agreed.

**RESOLVED: That the application be deferred for further information.**

23.

**SOUTH RUISLIP AND WEST RUISLIP WORKSITES (5N0) HARVIL ROAD, OLD DAIRY LANE, CLACKS LANE, BREAKSPEAR RD SOUTH - 75369/APP/2020/288**  
*(Agenda Item 7)*

**Request for approval of Lorry Routes (conditions relating to road transport) under condition imposed by Schedule 17 of the High Speed Rail (London -West Midlands) Act 2017, relating to 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 as South Ruislip Vent Shaft Main Compound, West Ruislip Portal Satellite Compound, Breakspear Road South Uxbridge Satellite Compound, Northolt Tunnel and Earthworks Main Compound and Harvil Road Realignment Satellite Compound.**

Officers introduced the report and noted that there was a lack of information on peak hour movements and the arrangements at each site to manage vehicles to and from sites without bunching of vehicles queuing to get into the HS2 Ltd sites. Concerns were noted in relation to the submission because it was the main civil works with SCS working east of Harvil Road and Align working West of Harvil Road. The level of accumulation of traffic needed to be considered in the area and there were going to be fluctuations in the intensity of lorry movements. There would be a six month period where it would be above 300 lorry movements a day, which would have a major impact on Swakeleys roundabout and the surrounding road network. The extent of lorry movements was originally assessed as part of the Environmental Statement which presented over 1000 lorry movements a day and led to a considerable amount of challenge from residents and the Local Authority. This was considered by the Select Committee and the movements were then restricted to 550 at Swakeleys roundabout. Although the Council welcomed the reduction in traffic, nonetheless no further information had ever been provided by HS2 to change the conclusion that there were likely to be significant effects as a result of HS2 traffic.

The Sub - Committee was informed that the lack of any alternative routes meant that there was not an objection being raised to the routes selected and it was important to recognise this. Although there were no objections to the routes, there were concerns about what happened on the routes, such as the lorry frequency, impact at peak hours and possible queuing to access the sites. The proposal previously put forward by HS2 was to partially signalise Swakeleys roundabout, officers considered that this would cause some relief to HS2 traffic, but would adversely affect the wider traffic network in Uxbridge and other nearby roads. For this reason, the proposal was not supported by the Council and was not taken forward. Evidence was produced to justify the signalisation by HS2 which confirmed that the road network around Swakeleys roundabout was heavily congested.

The legislative requirement for lorry routes was that if the Council wished to mitigate the harm through conditions, then the conditions needed to be agreed by HS2. With a previous submission for lorry routes of a smaller scale considered by Sub - Committee, it was noted that agreement was not reached on conditions. The Sub - Committee refused the application and it was subsequently appealed. The Council's decision was overturned at appeal on inter alia, technical grounds as the Council could not, in the opinion of the inspector, adequately evidence that the arrangements ought to be modified and that the arrangements were reasonably capable of being modified.

The Sub - Committee was informed that this submission related to far greater traffic movements. The Swakeleys roundabout traffic impacts, as demonstrated through the signalisation proposals, were such that officers were convinced that with the levels of HS2 traffic proposed there would be congestion in the surrounding area.

Officers considered that there was clear evidence to support the Council seeking modifications to the submitted traffic arrangements. There were two key problems. The affected roads were already heavily congested, in particular the Swakeleys roundabout, the roundabout at Harvill Road junction and the Breakpear Road south junction. These areas would become even more problematic as HS2 intended to use them for a considerable amount of lorry movements, namely 400 a day. Further, it was explained that if the roads were congested there would be a likelihood of bunching of HS2 vehicles and if 400 vehicles were coming during the day then that would potentially mean one vehicle every minute or 90 seconds. This might lead to waiting times to access the HS2 works sites and officers raised concerns about what would happen to those vehicles on the network when trying to access the works sites. The contractors had a no queuing policy on the road and there was no information to provide to the Sub- Committee about what would happen.

Conditions were therefore requested from the contractors and HS2 for an agreement on peak hour vehicle movements particularly during the AM and PM peak hours. A second condition was requested in relation to the appropriate sharing of information on monitoring and a third condition was requested in relation to access movements in and out of the site. The proposed conditions were shared with HS2 and their contractors and there had been no agreement of these conditions. It was explained that the recommendation was to originally approve the application with these conditions, however as there had been a refusal to agree the conditions by HS2; that the resolution was now to refuse the application. The basis for refusal would be that there was sufficient evidence that officers were convinced HS2 works would result in congestion on the road network and would result in the reduction of the free flow of traffic. Further, arrangements could be put in place restricting HS2 vehicle movements in the am and pm peak hours which would have the clear effect of reducing traffic movements at times when the road network is most congested.

The Borough Solicitor advised the Sub - Committee that under the High Speed Rail Act the Sub- Committee was constrained in the options available. Applications could only be refused or conditions could only be imposed if prescribed statutory criteria was met. The three options open to the Sub - Committee were to approve the application without conditions, approve the application with conditions or to refuse the application. Approving the application with conditions was not feasible with this submission as HS2 had not agreed to the imposition of conditions. The statutory criteria were then explained to the Sub - Committee, in particular Schedule 17 paragraph 6 (5). The Sub - Committee needed to be satisfied that the arrangements ought to be modified and that the arrangements were reasonably capable of being modified, if it was minded to refuse the application.

The Planning Inspector had previously allowed a HS2 appeal and allowed it on two grounds namely that any lack of information was addressed by the Environmental Minimum Requirements. This issue was still being litigated and the Court of Appeal had granted permission to appeal the decision. The second basis for refusal was due to lack of proper justification on the imposition of conditions.

The Sub - Committee raised concerns regarding the impact the increased volume of movements would cause on the routes and nearby roads. It was noted that these routes already experienced significant congestion levels and questions were raised about how the area would cope with the increased congestion particularly during peak times. The sites needed to be managed to meet the activities that would take place such as the tipping of materials and this process would take a period of time. If there was no bunching of vehicles on the roads, it was considered that having vehicles driving around whilst waiting to obtain access to HS2 sites would make traffic levels even worse.

The network in particular Swakeleys roundabout and other surrounding roads already struggled with the current volumes of traffic. It was considered that adding this volume of vehicle movement during peak times would mean that the junction would not be able to cope. The Sub-Committee was of the view that although there were no alternative routes, this submission was capable of being modified in that the movements of vehicles could be restricted and spread out during the day. A number of Councillors commented that the West Ruislip area was already subject to queuing and the level of lorry movements proposed would cause major blockages. Spreading the vehicles across the day would help the network contractors and HS2, in particular during periods that were less congested as access would be less restricted. Concerns were also raised about the South Ruislip site operations as the Victoria Road and other nearby roads were already at capacity in the opinion of a number of Councillors who stated they were very familiar with the operation of the affected roads that they were subject to congestion problems as well at peak times.

The Sub - Committee considered that the submission had to be sensible and workable. Traffic congestion levels were already known by the Local Authority and residents and additional vehicles would cause major issues and make the situation worse. The West Ruislip exit route also caused concerns as this was close to a roundabout. Further information was still required to make an informed decision, particularly in relation to the peak times.

Concerns were raised about road and pedestrian safety. It was questioned what would happen if there was an accident on the A40 or other nearby roads and how this would impact other parts of the road network. It was suggested that such events would cause horrendous traffic jams and questions were raised about how the network would be able to be manage.

Clarification was sought on whether the works would be a 24 hour operation and it was confirmed by officers that the construction vehicle movements are restricted to 8 am – 6pm. The movement of LGVs would not be 24 hours. Work could be done outside of core hours, but officer's experience was that this was generally objected to by residents due to the disturbance caused. It was questioned who would be monitoring the 400 vehicles and it was confirmed that HS2 and their contractors would do this.

Concerns were raised about the impact on the climate and air pollution levels with the increase of traffic idling. It was considered that this would affect the amenity of local residents and cause another area of concern.

The Sub - Committee was in agreement that further information was required, and that for all the reasons set out above, the arrangements ought to be modified to preserve the local environment, and to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area and are reasonably capable of being modified.

The officer's recommendation to refuse the application was moved and seconded, and upon being put to a vote, unanimously agreed.

**RESOLVED: That the application be refused and delegated authority be given to the Head of Planning and Chairman to agree the refusal reasons.**

The meeting, which commenced at 6.00 pm, closed at 6.58 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.**