

Item No. Report of the Head of Planning and Enforcement

Address: NATIONAL GRID ZC DIVERSION - CONSTRUCTION SITE & COMPOUND
OFF HARVIL ROAD HAREFIELD

Development: Request for approval of Lorry Routes under condition imposed by Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017 relating to the diversion of the National Grid ZC overhead power line in the Colne Valley

LBH Ref Nos: 74320/APP/2020/22

Drawing Nos:	Date of Plans:
Letter Sch 17 (LBH) P03 OH 06012020.	06-01-2020
ZC Colne Valley - LTMP - P03 19122019	06-01-2020
List of Lorry Routes Sch 17 (LBH) P03 OH 13122019	06-01-2020
Sch 17 Lorry Route LBH Written Statement P03 OH 13	06-01-2020

Drawing Nos:	Date of Amended Plans:
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Date Application Valid: 6th January 2020

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 National Grid's requirement to modify its overhead line (OHL) network.

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

The details relate purely to the lorry routes associated with the removal of five existing pylons; construction of six new pylons; re-wiring of overhead line; installation of a temporary mast and overhead line earthing works and the temporary diversion of a fibre wire, which will be laid underground while the works take place.

The amount of movements associated with this proposal are not considered to be of a quantum that would give rise to concerns. The peak period of activity is over a relatively short period of time with the peak amount of traffic movements relatively light.

2. RECOMMENDATION

APPROVAL

INFORMATIVES

3. CONSIDERATIONS

3.1 Site and Locality

These works are to take place within the Colne Valley. The works are split across the London Borough of Hillingdon and Buckinghamshire County Council. There are a number of accesses to be taken. However only 2 have the requirement for 12+ large goods vehicle (LGV) (24+ in/out movements); namely at the main construction site access and compound access. Only these two accesses in the Borough are considered in this submission. These two accesses, which are to be used off Harvil Road require Schedule 17 lorry route approval.

A description of these accesses is provided in greater detail below:

- The main construction site access, which is an existing access to be improved is off Harvil Road and is located broadly under the existing section of overhead line which crosses Harvil Road, at a location of an existing access. The construction access is to the east of the Grand Union Canal, approximately 70m south east of an existing access to the property known as Lower Lodge and meeting of Harvil Road/Public Footpath U30.

The worksites themselves are located to the east of Denham Country Park, south of South Harefield and north east of Ickenham, Uxbridge. Broadly being land north and south of Dews Lane and west of Harvil Road.

At the site of each pylon proposed or to be removed, a further area of hardstanding will be created to facilitate the works (i.e. as set down areas, crane or piling rig pads) as well as being used for vehicle passing places, holding and deliveries management, etc. These sites are accessed from the Main construction access off Harvil Road.

Only the main construction access is to be widened to provide an improved access. The existing access would be improved by the removal of short sections of hedge and laying of stone to form a larger bellmouth and access track. This has been applied for through a Schedule 4 (Part 1) submission and deemed granted. A Schedule 4 Part 2 Traffic Management submission has also been made and deemed granted. The use of this access requires Schedule 17 consent.

- Compound access, off Harvil Road serves a temporary works compound previously established by HS2, which will also be used by National Grid in undertaking the ZC diversion. This is an established compound created by HS2 off Harvil Road, broadly opposite of Skip Lane. The use of this access requires Schedule 17 consent.

The HS2 Environmental Statement (ES) plans note this compound as the 'Northolt Tunnel and Earthworks Main Compound'. This construction compound will serve the entirety of the ZC diversion works. No works are required to improve this access. A Schedule 4 Part 2 Traffic Management submission has been made and deemed granted.

The site area within which the works are to take place is predominantly semirural in character. The northern work sites are currently agricultural fields bounded by hedgerows with scattered trees and woodland adjacent to Breakspear Road North and north of Harvil Road. The central sites are adjacent to the Hillingdon Outdoor Activities Centre (HOAC) off Dews Lane, near to commercial properties off Skip Lane crossing waterbodies from former quarry uses and the Grand Union Canal.

The local highway network in the vicinity of the diversion site, along with the lorry routes proposed, comprises predominantly Motorway, A and B class roads which provide access from the Strategic Road Network to Ickenham and Uxbridge.

The proposed lorry route for all large goods vehicles to the site will utilise a route from/to the M40 (Junction 1) via the A40, 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 National Grid's requirement to modify its overhead line (OHL) network.

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

Construction Arrangements comprise site set up, establishment of its working areas, delivery of overhead line and pylon materials and site restoration at the diversion location. In summary, for the diversion of the ZC route between pylons ZC44 and ZC48 comprise:

- Removal of five existing pylons - ZC44, ZC45, ZC46, ZC47 and ZC48;
- Construction of six new pylons - ZC44R, ZC45R, ZC46R, ZC47R, ZC47A, and ZC48R;
- Re-wiring of overhead line between pylons ZC42 and ZC49;
- Installation of a temporary mast (ZC44T) and overhead line between pylons ZC43 and ZC45;
- Earthing works at ZC38, ZC39, ZC50, ZC51 and ZC52.
- The temporary diversion of a fibre wire which forms part of the existing OHL, between pylons ZC39 and ZC49 is also required which will be laid underground while the works take place.

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.

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:

6.0 COMMENTS ON PUBLIC CONSULTATION

6.1 Not applicable.

6.2 HIGHWAY ENGINEER

Background

The High Speed Rail (London-West Midlands) Act 2017 received Royal Assent on 23rd February 2017 and contains 70 sections and 33 schedules. Section 20 provides that planning permission is deemed to be granted under Part 3 of the Town & Country Planning Act 1990 (TCPA 1990) for development authorised by the Act. The nominated undertaker, HS2 Ltd, is required to attain relevant approvals from Hillingdon Council who is designated as the 'Qualifying Authority' in accordance with the schedule 17 (s17) of the Act.

The purpose of the s17 is to put into place a process for the approval of certain planning matters relating to the design and construction of HS2. This helps to ensure that there is an appropriate level of control over construction works but without imposition of undue delay or cost to the project. It is noted that the planning grounds for determination are more constrained under the HS2 Act as compared to the TCPA 1990.

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

In the case of this specific submission for 'Lorry Route' approval, it is considered that the following S17 chapters are of most relevance as they pertain 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 via appropriate planning condition.

Schedule 17 Part 1 Conditions Paragraph 6 (sub - paragraphs 5 (b) (ii) and 6 (a) (b)) - Condition relating to road transport (in bold)

Condition relating to road transport

6(1) 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.

(2) The matters to which this paragraph applies are the routes by which anything is to be transported on a highway by a large goods vehicle to

- (a) a working or storage site,
- (b) a site where it will be re-used, or
- (c) a waste disposal site.

(3) In this paragraph "relevant planning authority" means, subject to paragraph 27, the unitary authority or, in a non-unitary area, the county council in whose area the development is carried out.

(4) Sub-paragraph (1) does not require arrangements to be approved in relation to

- (a) transportation on a special road or trunk road, or
- (b) transportation to a site where the number of large goods vehicle movements (whether to or from the site) does not on any day exceed 24.

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

(7) In this paragraph

- "large goods vehicle" has the same meaning as in Part 4 of the Road Traffic Act 1988;
- "special road" and "trunk road" have the same meanings as in the Highways Act 1980.

Site Proposals & Description of Works

The submission relates to attaining approval for the movement of Large Goods Vehicles (LGVs), which will be referred to thereafter as Heavy Goods Vehicles (HGVs), to and from a site compound (existing Cadent gas compound) adjacent to Skip Lane located directly off Harvil Road (Site A) and the construction site access ('Lower Lodge' also off Harvil Road - Site B).

The objective of the utilisation of the two sites is to facilitate the diversion of the National Grid overhead power line in the Colne Valley. The suitability of the two access points for HS2 related works has been consented (late 2019) via schedule 4 of the HS2 Act.

Related construction traffic potentially impacting Hillingdon, is addressed separately within the existing and 'live' Route Wide & Local Traffic Management Plans (RTMP/LTMP respectively) which stem from the submitted overarching Environmental Statement as demanded by the HS2 Act 2017. Notwithstanding this point, the indicative primary & secondary HGV routing centred via Swakeleys Roundabout thereby including use of the Strategic Road Network (SRN) comprising of the M40 & A40 has been anticipated and is inclusive to RTMP and LTMP processes.

Site HGV Traffic Generation & Routing

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 points of access falls under a separate schedule 4 (parts 1/2) of the Act. The access arrangements relating to the two sites have been consented (late 2019) under this section of the Act. Lorry routing is predicted to occur via Swakeleys Road, Harvil Road and Moorhall Road including the aforementioned SRN peaking between March and December 2020 at 40 & 40-50 two way HGV movements per day at Site A and B respectively. Early works commenced in October 2019 and HGV activities have been limited and restricted to no more than 24 two-way HGV movements per day.

Although peak period activity figures have not been provided, it would be the intention of this highway authority to ensure that peak highway network periods are avoided in full or in substantive part. This is drawn upon and reflected within the summary of this appraisal.

Following on from this last point and with specific reference to the site compound (Site A) adjacent to Skip Lane, HS2 Ltd have inferred that during peak activity of the next door businesses, HGV movements linked to this proposal could be adjusted in order to avoid potential conflict if activities coincide with their neighbours which is considered as a positive attribute.

Workforce Transport Traffic Generation - Sites A & B

Within the submission, it is indicated that each worksite will comprise of 30 staff at Site A and 44 at Site B. For this scale of 'works' activity, there is no travel plan proposed within the overarching Local Traffic Management Plan (LTMP) although, where possible, the aspect of encouraging car sharing and use of sustainable transport modes is acknowledged. This approach is considered realistic given the relatively low level of staff attendance and the appreciation of the impracticality of utilising sustainable travel modes at both these remote locations.

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 a proposal to suit the objective of the diversion of the said power line. It is accepted that the routing has, within reason, been optimised with no true functional road network alternatives being readily available for consideration.

The suggested construction routes will involve usage of the already heavily trafficked 'Classified' and SRN road network as listed earlier. Although the predicted daily figures, if evenly spread throughout the day, are not considered excessive and would conform to and be absorbed within the overall project 'capped' figure of 550 vehicles, the peak morning and afternoon traffic periods are, as always, of prime concern as some of these listed routes are running to over-capacity and the proposal will potentially add to current delays and congestion.

As highlighted, what is missing from the submission and seemingly common to all S17 submissions, is a specific reference as to how the proposal would impact the network during these traffic peak periods with a time-line distribution of the operational movements and how the impact of the works would be assessed via a comprehensive monitoring regime. However, as outlined in detail within this report, it is considered that HS2 Ltd have provided sufficient coherent reasoning as to why this demand cannot be met by way of the submitted LTMP that makes reference to the limited physical scale of activity which is likely to result in a proportionally low level of HGV activity during peak and off-peak traffic periods.

The proposal is therefore considered acceptable in principle. However as a safeguard, it is recommended that an informative is applied with regard to the assurance that vehicle stacking, potentially generated by HGV's waiting to enter each location, on the immediate public highways is avoided at both locations.

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

7.1 Road Transport

Estimated LGV Numbers

Main access:

The movements associated are not expected to exceed 50 LGV in/out movements per day (25 LGVs per day) between October 2020 to December 2020 in site restoration, when there is a requirement for the removal of the stone aggregate track/haul road between the former and proposed pylons sites, alongside areas of hardstanding previously installed at each worksite, to form crane and piling rig pads, which will be laid up to February 2020 (under restricted LGV movements of less than 12 LGVs per day). The majority of these movements will form lorries removing crushed aggregate. During the main works, the movements required to deliver the works, including delivery of new pylon components, overhead wire, concrete (etc) are not expected to exceed 40 LGV in/out movements per day (20 LGVs per day), the peak being in March to May 2020, while ground works and piling is undertaken at the pylons sites.

The LGV in/out movements per day are not expected to be required on a daily basis throughout each month, but this number of LGVs reflects the maximum number which may be required on occasion, as a peak within the month. The Large Goods Vehicle movement will be within HS2 Core Hours as set out in the CoCP.

The bellmouth for the main access forms an existing access to Harvil Road which is to be improved on Harvil Road. Separate Schedule 4 (Part 1 and Part 2) submissions have been made and deemed granted.

A crane for the new pylons erection and removal of current pylons will be required on site for short periods of time between May - October 2020, and also for the temporary mast (ZC44T) erection and dismantling, in July and September 2020 respectively. Discussions will take place separately with the Highways Officer for any Abnormal Load deliveries/movements required. There will also be a number of light good vehicles and cars attending site throughout the works.

Compound access:

The movements associated with the use of the compound are not expected to exceed 40 GV in/out movements per day (20 LGVs per day) between March 2020 to November 2020 in the delivery of new pylon components, overhead wire alongside plant and machinery required to undertake the works which may be delivered to the compound before being taken to worksites. In addition, there is a requirement to store for the duration of the works earth removed from the foundations at ZC48R (from within Buckinghamshire County Council) in the compound which will make use of the public highway between the sites which gives rise to additional movements from Denham Court Drive.

Until the Schedule 17 is approved, works will continue to progress at up to 24 LGV in/out movements per day (12 LGVs per day). The LGV in/out movements per day are not expected to be required on a daily basis throughout each month, but this number of LGVs reflects the maximum number which may be required on occasion, as a peak within the month. The Large Goods Vehicle movement will be within HS2 Core Hours as set out in the CoCP. There will also be a number of light good vehicles and cars expected throughout the works.

In conclusion, having considered the criteria set out in Schedule 17 Paragraph 6(5)(b), which states the grounds on which proposed lorry routes ought to be modified, through pre-application discussions and presentations at Traffic Liaison Group Meetings, no evidence has been provided to justify that the route ought to be modified and is reasonably capable of being so on the criteria set out in the HS2 Act.

The amount of movements associated with this proposal are not considered to be of a quantum that would give rise to concerns. The peak period of activity is over a relatively short period of time with the peak amount of traffic movements relatively light.

The primary concerns relate to the lorry movements associated with the Ruislip and Ickenham worksites, which amount to over 400 per day, with a 6 month intensive period.

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.

This application falls to be considered under Paragraph 6 of Schedule 17 of the HS2 Act. Officers consider that HS2 Ltd's application is acceptable in principle and are therefore recommending that it is approved.

The amount of lorry movements associated with HS2 Ltd's proposal are not considered to be of a quantum that would give rise to concerns. The peak period of activity will take place over a relatively short period of time with the peak amount of traffic movements relatively light.

However, if Members are minded to refuse the application, they can only do so on one or more of the relevant statutory grounds of refusal contained in paragraph 6. These are 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.
- to preserve a site of archaeological or historic interest or nature conservation value

and are reasonably capable of being so modified.

If Members are minded to approve the application but wish to impose conditions on approval, they can only do so with the agreement of HS2 Ltd and on the grounds referred to above

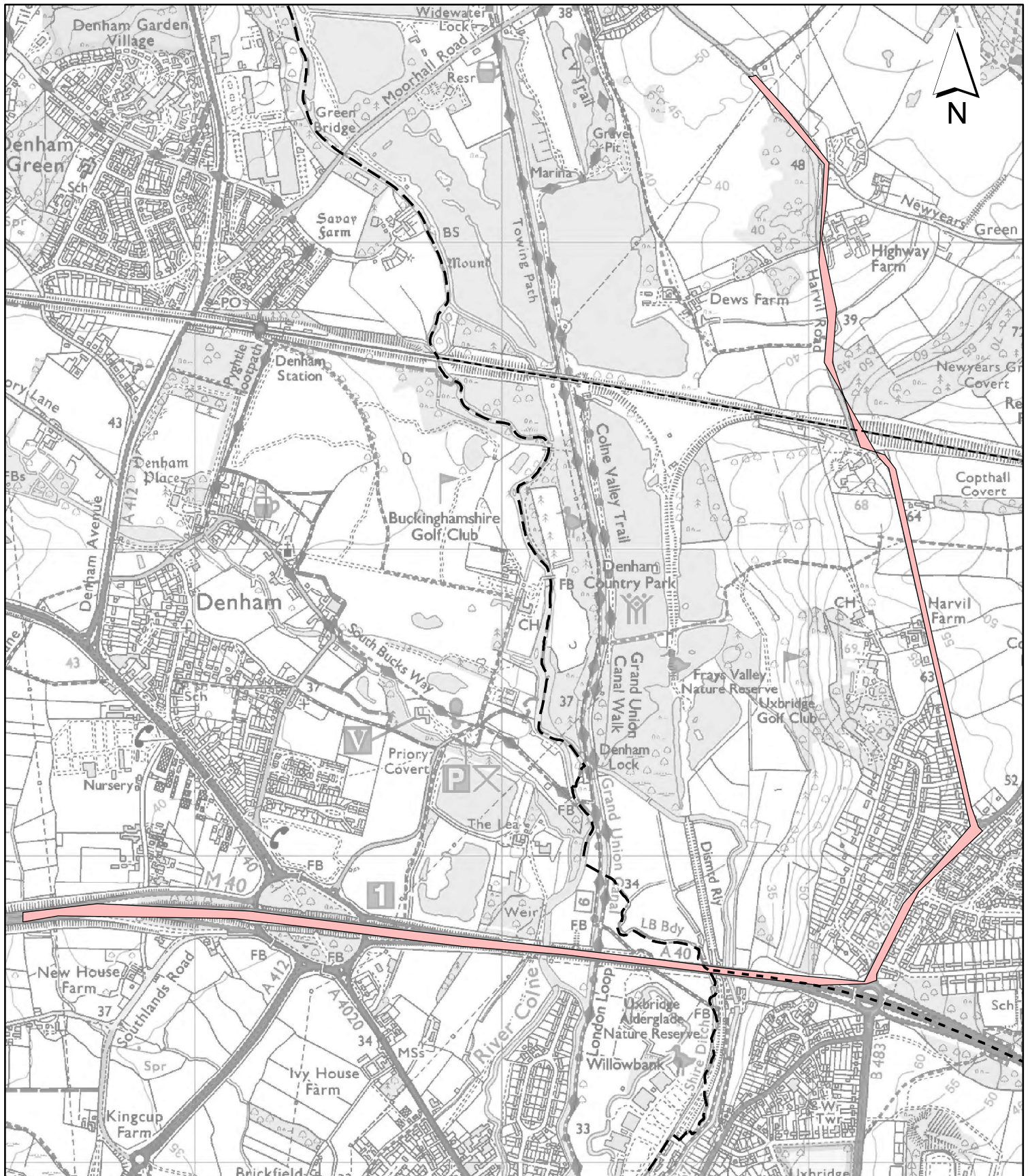
9.0 OTHER ISSUES

None.

10.0 REFERENCE DOCUMENTS

The High Speed Rail (London-West Midlands) Act 2017.
Local Traffic Management Plan

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Notes:

 Site boundary

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Site Address:

National Grid ZC Diversion

Planning Application Ref:
74320/APP/2020/22

Planning Committee:
HS2

Scale:
1:16,800

Date:
May 2020

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