

This application comprises a Plans and Specifications submission under Schedule 17 of the HighSpeed Rail (London-West Midlands) Act 2017 (The Act), in relation to permanent above ground features associated with the creation of a new Dews Lane alignment (scheduled work 2/2), including earthworks, fencing, gabion headwall and creation of earthworks to facilitate a drainage pond.

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

The design and realignment of Dews Lane, together with internal traffic management designs within the realigned roadway are broadly acceptable.

No objections are raised to the proposed fencing.

Officers are of the opinion that the proposals, although they would have an ecological impact, would not have a detrimental impact on a site of ecological value (i.e. a designated site).

Historic England (GLAAS) considers that the proposal will not have a significant effect on heritage assets of archaeological interest and is satisfied that the question of amending the design to preserve an archaeological site does not arise.

The drainage matters remain a concern, as HS2 Ltd and the Environment Agency are agreeing on the drainage systems the Council then has to manage. However, approval of the drainage arrangements for the re-aligned Dews Lane will take place via a Schedule 33 submission under the HS2 Act. An informative is therefore recommended, advising the nominated undertaker to work with the Council to identify the impacts of the proposals on the surface water drainage regime in the area, including impacts on the New Years Green Bourne and the adopted highway.

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

2. RECOMMENDATION

APPROVAL

INFORMATIVES

1. I99 Non Standard Informative

The proposed development includes measures relating to a number of different protected species.

The proposals must be designed in accordance with any relevant protected species licence and ecological standards for the project.

2. I99 Non Standard Informative

The nominated undertaker must work with the Council to identify the impacts of the proposals on the surface water drainage regime in the area, including impacts on the New Years Green Bourne and adopted highway. This work must be undertaken on a strategic basis, and factoring in all the relevant parts of this project.

3. CONSIDERATIONS

3.1 Site and Locality

The site sits within the Colne Valley Regional Park (CVRP), approximately 2km to the south of Harefield and 3km to the north-west of Ruislip/Ickenham. The existing Chiltern Railways line lies approximately 500m to the south of the existing Dews Lane with the Grand Union Canal being situated 500m to the west at its closest point. Harvil Road lies at the eastern extent of the site boundary.

Dews Lane is currently a private road, not adopted by the London Borough of Hillingdon in its role as the local highway authority. It is orientated in an east-west direction for approximately 500m, from a junction with Harvil Road to the Hillingdon Outdoor Activities Centre (HOAC). It provides an access to residential properties, HOAC, a Thames Water pumping station, and other facilities including the West London Rangers Rifle Club (WLRRC), Hillingdon and Uxbridge Motor Club (HUX) and Harrow Angling Society (HAS).

The immediately surrounding land use is predominantly agricultural, with regular shaped, small to medium sized fields of pasture and some pockets of arable farmland. Many of the fields are bordered by hedgerows and hedgerow trees. Along the alignment of the existing Dews Lane are a mix of isolated two storey detached farmhouses and associated agricultural buildings, such as barns and sheds.

There are some areas of woodland nearby, including Newyears Green Covert and Copthall Covert to the east and north of the scheme with Dews Dell also situated adjacent to the works area to the site, south of Dews Lane.

3.2 Proposed Scheme

This application relates to the request for approval of plans and specifications relating to permanent above ground features associated with the creation of a new Dews Lane alignment (scheduled work 2/2), including earthworks, fencing, gabion headwall and creation of earthworks to facilitate a drainage pond.

The relevant scheduled works as set out under Schedule 1 of the Act to which this Schedule 17 submission relates are:

· 'Work No. 2/2 - A realignment of Dews Lane, forming an access to Hillingdon Outdoor Activities Centre commencing by a junction of that road with Harvil Road and terminating at the entrance to the Hillingdon Outdoor Activity Centre;)

The works submitted for approval comprise:

1. Construction of a new permanent carriageway and verges to the south of the existing Dews Lane alignment and creation of structural and landscape earthworks and drainage features to support the carriageway;
2. The provision of earthworks for an associated drainage pond, including a gabion wall to drain the new widened Dews Lane alignment;
3. Drainage and culvert headwalls; and
4. The provision of permanent fences to demarcate land boundaries and allow accesses to be secured.

The permanent and newly realigned and parallel carriageway to Dews Lane would be located just to the south of the existing lane, measuring 7m in width (with 1m verges) during the HS2 Ltd construction phase, reverting to 5.5m (with 1.75m verges) once works are complete. The existing Dews Lane roadway would be narrowed to 2.5m in order to create a non-motorised use (NMU) corridor with the exception that during viaduct construction it would be used as a 'temporary access' to the HOAC. The new roadway would serve all existing properties located directly to the north, including two private dwellings and farm holdings. New provisions such as a permanent maintenance access for the viaduct together with a separate access to a new electricity sub-station would also be facilitated by the realignment.

Post and wire fencing has been proposed to be erected on the south side of the new alignment, to delineate highway and adjacent land boundary.

The applicant advises that works subject to this request for approval of Plans and Specifications will be undertaken in accordance with the HS2 Code of Construction Practice. Following utility surveys, land within the Schedule 17 submission boundary will be subject to vegetation clearance, in order to allow the contractors to commence work. At the same time as preparing the sub-base, controlled demolition of the Dews Lane Farmhouse and outbuildings will be undertaken.

The land for the new access will then have subsoil and topsoil stripped, prior to an appropriate highway sub-base being installed, with drainage culverts, extended badger culverts and ducting for future utility connections being completed prior to the highway sub base.

Following the installation of sub-base, the top-coarse of the upgraded Dews Lane will be laid and permanent bell-mouth junction works geometry completed. At this time, the existing Dews Lane bell-mouth to Harvil Road will be stopped up and a connection to the new Dews Lane alignment will be provided.

At the end of the construction period of the wider HS2 works, the existing Dews Lane alignment will then be closed to motorised traffic and the new alignment opened to motorised traffic. The historic alignment will be retained as a non-motorised use, with existing accesses extended slightly to meet the new Dews Lane alignment.

Indicative Mitigation

In addition to the works for which approval of Plans and Specifications is required, the overall mitigation scheme in this location also includes the Proposed Indicative Landscape Scheme. This is not for approval. The indicative landscape proposals for Dews Lane form part of wider and integrated restoration works associated with the Colne Valley Viaduct (CVV) and associated infrastructure. The applicant submits that the landscape strategy is predicated on conserving as far as possible the existing character of the receiving environment, and where achievable, to bring betterment with regards to public access; improving the interface between retained dwellings and the road corridor; and protection of habitats (with localised enhancement where practicable).

The anticipated construction programme is set out below:

March 2020 Mobilisation, utility diversions and site clearance of worksites
April 2020 Dews Lane enabling works (to be undertaken by FUSION)
April 2020 Demolition works May 2020
June 2020 Commencement of Dews Lane realignment works and works to the existing Dews Lane.

Description of Anticipated Required Works

HS2 Act, Schedule 4, Part 1 Creation of new Dews Lane access arrangement and associated traffic management consents under Schedule 4, Paragraph 6.
HS2 Act, Schedule 4, Part 2 Temporary interference at junction with Harvil Road under Schedule 4
HS2 Act, Schedule 4, Part 2 Temporary interference at junction with Harvil Road under Schedule 4
HS2 Act, Schedule 17, Paragraph 9 Bringing into Use Dews Lane Scheduled Work 2/2
HS2 Act, Schedule 17, Paragraph 12 Site Restoration Plan
HS2 Act, Schedule 33 Drainage consent for permanent works under Schedule 33 of the Act.
Control of Pollution Act, Section 61 Noise and Vibration consents for Dews Lane works and compound under Section 61.
Building Act, Section 80 Notice to local authority of intended demolition of RMC garages and other structures.

3.3 Relevant Planning History

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

The nominated undertaker, HS2 Ltd, is required to attain relevant approvals from Hillingdon Council which is designated as the 'Qualifying Authority' in accordance with the schedule 17 (s17) of the Act. The purpose of the schedule 17 is to put into place a process for the approval of certain

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

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

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

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

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

4. ADVERTISEMENT AND SITE NOTICE

4.1 Advertisement Expiry Date: Not Applicable

4.2 Site Notice Expiry Date: Not Applicable

5.0 PLANNING POLICES AND STANDARDS

The following 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:

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

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

2. PT1.EM6 (2012) Flood Risk Management

(2012) Flood Risk Management

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

(2012) Biodiversity and Geological Conservation

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

(2012) Land, Water, Air and Noise

Part 2 Policies:

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

Development on the Green Belt or Metropolitan Open Land

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

Biodiversity Protection and Enhancement

3. **DMHB 1 Heritage Assets**

Heritage Assets

4. **DMHB 14 Trees and Landscaping**

Trees and Landscaping

5. **DMT 1 Managing Transport Impacts**

Managing Transport Impacts

6. **DMT 2 Highways Impacts**

Highways Impacts

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

(2016) Flood risk management

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

(2016) Green Belt

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

(2016) Biodiversity and access to nature

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

(2016) Trees and woodlands

11. **LPP 4.11 (2016) Encouraging a connected economy**
(2016) Encouraging a connected economy
12. **LPP 5.13 (2016) Sustainable drainage**
(2016) Sustainable drainage
13. **LPP 6.2 (2016) Providing public transport capacity and safeguarding**
(2016) Providing public transport capacity and safeguarding land for transport
14. **LPP 6.4 (2016) Enhancing London's Transport Connectivity**
(2016) Enhancing London's Transport Connectivity
15. **LPP 7.15 (2016) Reducing and managing noise, improving and**
(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
16. **LPP 7.18 (2016) Protecting open space and addressing deficiency**
(2016) Protecting open space and addressing deficiency
17. **LPP 7.30 (2016) London's canals and other rivers and waterspaces**
(2016) London's canals and other rivers and waterspaces
18. **LPP 7.4 (2016) Local character**
(2016) Local character
19. **NPPF National Planning Policy Framework**
National Planning Policy Framework

6.0 COMMENTS ON PUBLIC CONSULTATION

6.1 HISTORIC ENGLAND (GLAAS)

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and made available in connection the application and in pre-application and other consultation with the High Speed 2 Ltd.

Archaeological trial trenching has carried out on either side of Dews Lane with negative results to the north and immediately to the south. I therefore conclude that the proposal will not have a significant effect on heritage assets of archaeological interest. Although I have not yet received the report I am satisfied that the question of amending the design to preserve an archaeological site

does not arise.

This response relates solely to archaeological considerations.

NATURAL ENGLAND

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites.

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

The proposed development includes measures relating to a number of different protected species. The planning authority should advise HS2 Ltd that the proposals must be designed in accordance with any relevant protected species licence and ecological standards for the project.

Natural England has developed two HS2 specific Bat Mitigation Class Licences. One licence covers certain bat species and roost types in built structures (WML-CL39) and the other covers certain bat species and roost types in trees (woodland, parkland or single tree situations)(W ML-CL40). These licences permit suitably experienced employees and staff of contractors to undertake specified activities affecting bats that would otherwise be unlawful. The licence facilitates the enabling and construction works for the high speed rail line between London and Birmingham (Phase 1). In addition, HS2 can also use the existing Bat Mitigation Class Licence (WML-CL21) or apply to Natural England for a site specific licence if the species, scale of impact or roost type are not covered by the Class Licences. The planning authority should advise HS2 Ltd that the proposals must be designed in accordance with the relevant licence and ecological standards for the project. As mentioned in the 'Indicative Mitigation Proposal' document on the planning site, a maternity roost is present at Dew's farm. To date we have not received the EPSL application. Natural England has issued a route-wide organisational licence for Badgers to HS2 Ltd. The licence permits suitably experienced employees and staff of contractors to undertake specified activities affecting badgers that would otherwise be unlawful. The licence facilitates the enabling and construction works for the high speed rail line between London and Birmingham (Phase 1).

The planning authority should advise HS2 Ltd that the proposals must be designed in accordance with this licence and ecological standards for the project. Natural England are carrying out licence compliance monitoring to ensure HS2 are meeting the provisions of the licence overall. The above reference document also refers to badgers, however it does not detail any setts to be destroyed or damaged. The proposed underpass is a non licensed method. There is no mention of other protected species in the 'Indicative Mitigation Proposal' document. Therefore we have no further comment.

6.2 HIGHWAY ENGINEER

Background & Appraisal

In the case of this Schedule 17 submission, the principle of the realignment of Dews Lane is to be appraised.

The aim of the 'permanent' realignment is to create a 'temporary' construction access related to the erection of the 'Colne Valley' viaduct which runs south-east to north-west and physically crosses Dews Lane. Dews Lane currently allows access to several private dwellings, farm holdings, a rifle club and the 'Hillingdon Outside Activity Centre' (HOAC).

The proposed 'new' Dews Lane alignment has been designed to ensure safe turning movements and two-way traffic movements can occur without vehicle conflicts whilst entering or leaving the site during both the temporary (construction) and permanent phases. New provisions such as a permanent maintenance access for the viaduct together with a separate access to a new electricity sub-station would also be facilitated by the realignment.

Once viaduct construction is complete, patrons of HOAC and other established community users would fully utilise the realigned roadway however, for the duration of viaduct construction, temporary access to HOAC would occur via Dews Lane (existing) which is to connect to the realigned roadway in the proximity of the Dews Lane/Harvil Road junction. The latter is to be signalised throughout the anticipated 4-5 year construction phase after which the junction would revert to priority operation with signals removed. The principle of temporary signal installation is agreed subject to the rectification of a number of issues that have been identified within a Traffic Signal Stage 1 Road Safety Audit (RSA) produced by HS2 Ltd, such as queue length build up on Harvil Road, the lack of anti-skid surfacing on the junction approaches and questionable zebra location/design. Consent is therefore conditional on the delivery of the recommendations made within the RSA and the progression of subsequent RSA stages 2, 3 and 4 in due course which consist of auditing detailed design, scheme completion & 12/36 month review respectively.

Extended and permanent kerb alignment designs are also proposed for this new junction incorporating overrun areas to ease movements into and out of the road junction during construction, which will be retained to future proof abnormal load access to the new sub-station when required. Works are scheduled to commence in April 2020.

Although the suitability of the 'means of access' at the relocated Dews Lane/Harvil Road junction is to be vetted separately via schedule 4 (parts 1/2) of the Act, the proposals related to the new road junction are considered fit for purpose and do not raise adverse comment at this stage.

Synopsis

The design and realignment of Dews Lane together with internal traffic management designs within the realigned roadway are considered broadly acceptable 'in-principle' (including the Dews Lane/Harvil Road junction redesign) as relevant highway design standards, in terms of scale, alignment and junction visibility splays, have been met. However some further clarity is required with regard to interim and permanent access arrangements for the rifle club premises which appear constrained as presented. Clearly this establishment should function without impediment. There are no further observations.

FLOOD OFFICER

The application is for the construction of a new permanent carriageway and verges to the south of the existing Dews Lane alignment and creation of structural and landscape earthworks and drainage features to support the carriageway. The level of details to be able to review the drainage arrangement is inadequate and does not clarify the long term adoption and maintenance requirements as requirement of the NPPF paragraph 165.

The existing 8.5m long twin 450mm diameter culvert is proposed to be upgraded to a single 600mm diameter culvert 23m long along Dews Lane.

The realigned Dews Lane is to be drained via lined edge of carriageway filter collectors, with a positive outfall via a normally dry attenuation basin to the Newyears Green. From these locations the flow will then be conveyed by the filter collector, or a lower carrier drain through a section of higher ground, to the outfall via the drainage pond.

The rate of discharge will be controlled by a Flow Control Device, designed in accordance with the HS2 Technical Standards, the Defra Technical Standard, and the Design Manual for Roads and Bridges to the minimum practicable rate of 5 l/s. The existing Dews Lane is to become a NMU route and the drainage arrangement will be maintained.

LBH require that drainage proposals follow the SuDs Hierarchy and it is demonstrated that the most sustainable options which minimises long term maintenance and costs. Creation of a new 600mm pipe line rather than open ditch which could provide additional storage should be considered and evidence provided of the the consideration of all options.

The rate of 5ls has been updated in the HS2 guidance following feedback from LLFA that this is an outdated assumed rate of discharge and flow control devices can control flow much lower than this. None of the calculations or catchment extents have been provided to demonstrate the size of the catchment that the storage has been provided for, or the level of the outfall and the modelling information that would clarify if the outfall will be submerged and therefore further storage is required.

There are also options proposed to manage the interaction with an LBH adopted road and the highway drainage.

The surface water collection arrangement at the junction with Harvil Road and at accesses along Dews Lane, will be by either gullies or short sections of filter collectors. From these locations the flow will then be conveyed by the filter collector, or a lower carrier drain through a section of higher ground, to the outfall via the drainage pond. This should be agreed with LBH to ensure it meets Highway drainage requirement and context.

This does not therefore meet Hillingdon requirements for planning applications nor the requirements for LBH to adopt this in the longer term. It is noted that this is for information only and a Schedule 33 will be made. However changes that may be required to make this acceptable may require changes to this application.

(Officer Note: An informative is recommended advising the nominated undertaker to work with the

Council to identify the impacts of the proposals on the surface water drainage regime in the area, including impacts on the New Years Green Bourne.)

TREE AND LANDSCAPE OFFICER

This submission includes the following Dews Lane earthworks, cross-sections, drainage earthworks and headwall / outfall details, gabion walls and fence alignments, which are submitted for approval:

- 1MC05ALJ-TP-DSE-CS01_CL01-166001 - Proposed Cross Section Sheet 1, rev C02
- 1MC05-ALJ-TP-DSE-CS01_CL01-166002 - Proposed Cross Section Sheet 2, rev C02
- 1MC05-ALJ-TP-DSE-CS01_CL01-166003 - Proposed Cross Section Sheet 3, rev C02
- 1MC05-ALJ-TP-DSE-CS01_CL01-166004 - Proposed Cross Section Sheet 4, rev C02
- 1MC05-ALJ-TP-DSE-CS01_CL01-166005 - Proposed Cross Section Sheet 5, rev C02
- 1MC05-ALJ-TP-DEL-CS01_CL01-166009 - Long Profile, rev C02
- 1MC05-ALJ-TP-DGA-CS01-CL01-166008 - Proposed Earthworks Plan, rev C02
- 1MC05-ALJ-TP-DDE-CS01_CL01-167004 - Drainage Earthworks for Approval , rev C01
- 1MC05-ALJ-TP-DDE-CS01_CL01-167005 - Typical Headwall and Outfall Details, rev C01

The submission is supported by the following documents and plans, for information only:

Documents:

- 1MC05-ALJ-TP-REP-CS01_CL01-000012 - Written Statement
- 1MC05-ALJ-TP-REP-CS01_CL01-000019 - Indicative Mitigation Proposals Plans:
- 1MC05-ALJ-TP-DPL-CS01_CL01-100388 - Landscape Proposals, rev C01
- 1MC05-ALJ-TP-DGA-CS01_CL01-166007 - Location Plan, rev C02
- 1MC05-ALJ-TP-DGA-CS01_CL01-166010 - Junction visibility splay, rev C02
- 1MC05-ALJ-TP-DGA-CS01_CL01-167003 - Drainage Overview Plan, rev C01
- 1MC05-ALJ-GI-MAP-CS01_CL01-000006 - Indicative Tree Loss Plans rev C01

Documents:

- 1MC05-ALJ-TP-REP-CS01_CL01-000012 - Written Statement
- 1MC05-ALJ-TP-REP-CS01_CL01-000019 - Indicative Mitigation Proposals Plans:
- 1MC05-ALJ-TP-DPL-CS01_CL01-100388 - Landscape Proposals, rev C01
- 1MC05-ALJ-TP-DGA-CS01_CL01-166007 - Location Plan, rev C02
- 1MC05-ALJ-TP-DGA-CS01_CL01-166010 - Junction visibility splay, rev C02
- 1MC05-ALJ-TP-DGA-CS01_CL01-167003 - Drainage Overview Plan, rev C01
- 1MC05-ALJ-GI-MAP-CS01_CL01-000006 - Indicative Tree Loss Plans rev C01

Landscape 'indicative mitigation' is described in 3.3 of the Schedule 17 Plans and Specifications Written Statement for Information (ref. ALJ-TP-0013) - with no detailed supporting plans.

RECOMMENDATION: No landscape comment but these plans should be assessed by highway and drainage specialists.

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

7.1 OTHER CONSTRUCTION WORKS

- HIGHWAY CONSIDERATIONS

In the case of this Schedule 17 submission, the design of the realignment of Dews Lane is to be appraised.

The existing Dews Lane is a private unadopted road that runs in an east-west direction from a junction with Harvil Road providing access to residential properties, HOAC, Thames Water pumping station, WLRRC, HUX club and the HAS. No Public Rights of Way (PRoW) lie within the site.

The existing private road enables all the above businesses and residential properties to be accessed directly from the wider highways network via Harvil Road. Harvil Road provides a direct access to South Harefield and Harefield Village (to the north) and Ickenham to the south.

The applicant submits that the main design objective is to provide suitable access and egress to and from Harvil Road for residents and businesses situated along Dews Lane. The proposed Dews Lane widening will also enable access to maintain the new NGET Ickenham sub-station on Harefield Moor. The access is provided directly onto a 50 mile per hour carriageway (Harvil Road) and the provisions of the Design Manual for Roads and Bridges (DMRB) apply to the junction design.

Dews Lane represents the eastern extent (of the proposed landscape design for the Colne Valley Viaduct (CVV)). Therefore, at the detailed design stage, the applicant submits that specific design objectives and requirements were to:

- Reinstate land boundaries, where land is to be returned to previous landowners;
- Provide an appropriate boundary treatment to transition the landscape back into habitats unaffected by the wider HS2 proposals;
- The need to comply with the Environmental Minimum Requirements including the undertakings and assurances;
- Integrate with wider proposals set out under the Additional Mitigation Plan projects by the Colne Valley Regional Park Panel for the Colne Valley Regional Park; and
- Maintain access to residential properties on Dews Lane for the full duration of the construction and operation periods and maintain access to the land being vacated by HOAC due to its potential for future alternative uses.

The progress on the design was discussed with the officers. The top priorities for officers regarding Dews Lane were to safeguard future options for use of HOAC and address as far as possible the concerns of local residents.

The applicant explains that the following constraints have informed the design development:

- The potential impact on utilities (water, gas, electricity) and the requirements for diversion of these;
- The need to maintain land drainage and badger connectivity under Dews Lane;
- Vehicle sizes that will utilise Dews Lane both during construction and in perpetuity.
- The impacts on the occupants of the residential and commercial properties along Dews Lane; and
- The interface of Dews Lane with Harvil Road;

The proposed new Dews Lane alignment has been designed to ensure safe turning movements and two-way traffic movements can occur without vehicle conflicts when accessing and egressing the site during both the temporary and permanent phases. In order to meet these requirements, a road width of 5.5m with grass verges has been proposed for the permanent design. This provides

sufficient clearance for both cars and large vehicles to pass one another in the permanent scheme. Providing an improved long term means of access to land presently occupied by HOAC.

HS2 Ltd is required to comply with the controls set out in the HS2 Phase One Environmental Minimum Requirements (EMR). It should be noted that since the production of the original Phase One Environmental Statement (ES), the proposals for Dews Lane has changed. The proposals now consist of the creation of a new permanent carriageway which will run parallel to the existing Dews Lane rather than widening the existing road as was originally proposed.

Therefore, the applicant advises that an EMR compliance review has been undertaken against the new design. The review assessed the likelihood of new or altered significant effects as a result of changes to the design and construction arrangements against the impacts reported in the original ES. No new significant effects are predicted to arise due to the design changes and the revised scheme is therefore deemed to be in compliance with the EMR.

The Environmental Memorandum (part of the HS2 Environmental Minimum Requirements) sets out the arrangements for the management of environmental issues during construction and the Code of Construction Practice (CoCP) sets out specific details and working practices that apply. The CoCP is supported by Local Environmental Management Plans (LEMPs) which include specific measures by topic, relevant to each relevant local authority area. The LEMP relevant to the works subject to this Schedule 17 submission is P1S Local Environment Management Plan London Borough of Hillingdon. However, it should be noted that environmental management arrangements during construction do not form part of this request for approval of plans & specifications under Schedule 17.

The Highway Engineer considers that the design and realignment of Dews Lane, together with internal traffic management designs within the realigned roadway are broadly acceptable, including the Dews Lane/Harvil Road junction redesign, as relevant highway design standards, in terms of scale, alignment and junction visibility splays, have been met. However some further clarity is required with regard to interim and permanent access arrangements for the rifle club premises which appear constrained as presented.

· EARTHWORKS

Possible grounds for refusal of approval are:

That the design or external appearance of the works ought to, and could reasonably, be modified

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

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

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

If the development does not form part of a scheduled work, that the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

There are two sets of earthworks of note:

1. Construction of a new permanent carriageway and verges to the south of the existing Dews Lane alignment and creation of structural and landscape earthworks and drainage features to support the carriageway;
2. The provision of earthworks for an associated drainage pond, including a gabion wall to drain the

new widened Dews Lane alignment;

Local Environment and Local Amenity: With regards to the above, officers are of the opinion that the earthworks would have a detrimental impact on the local environment and local amenity, principally through the visual intrusion. However, these earthworks have been approved in principle in this general location, although, as set out above, since the production of the original Phase One Environmental Statement (ES), the proposals for Dews Lane have changed, now consisting of the creation of a new permanent carriageway, rather than widening the existing road as was originally proposed.

Officers cannot see any other reasonable modifications that would reduce or remove the harm on the local environment, whilst still facilitating the delivery of the approved scheme.

In terms of traffic, officers are of the opinion that the design of the earthworks is not going to have impacts on traffic and transportation. The movement of material to and from the site is a concern, but this is addressed in a separate schedule 17 submission. As such, it is not considered that the works will have any detrimental impact on road safety or the free flow of traffic in the local area.

In terms of archaeology, the Greater London Archaeological Advisory Service has confirmed that investigations have taken place, but nothing of merit has been found. GLAAS considers that the proposal will not have a significant effect on heritage assets of archaeological interest and is satisfied that the question of amending the design to preserve an archaeological site does not arise.

Ecological issues are dealt with elsewhere in this report. The area to be impacted by the proposals is not designated as a site of importance for nature conservation and Natural England raises no objections to the proposed works. An informative is recommended advising the nominated undertaker that the proposals must be designed in accordance with any relevant protected species licence and ecological standards for the project.

In conclusion, it is not considered that the proposed earthworks ought to or could reasonably be located elsewhere within the development's permitted limits.

· FENCES AND WALLS

Possible grounds for refusal of approval are that the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

Post and wire fencing has been proposed to be erected on the south side of the new alignment to delineate the highway and adjacent land boundary. Fencing has been minimised as far as reasonably practicable and has only been provided to demarcate private land boundaries and prevent unauthorised access where necessary.

The works have been located in accordance with the route alignment of the HS2 rail scheme, as contained within the Act and the accompanying parliamentary plans, and the associated technical requirements arising from the operation of the railway. Therefore, it is not considered that the works ought to or could reasonably be located elsewhere within the development's permitted limits.

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 elected to become a qualifying authority which gives it responsibility for approving a wider range of Schedule 17 applications than a non-qualifying authority and also, the grounds upon which it can refuse consent are wider.

This report concerns an application from HS2 Ltd in relation to plans and specifications for various matters under Paragraph 3 of Schedule 17, which relates to a number of matters which are the subject of this report including:

1. Construction of a new permanent carriageway and verges to the south of the existing Dews Lane alignment and creation of structural and landscape earthworks and drainage features to support the carriageway;
2. The provision of earthworks for an associated drainage pond, including a gabion wall to drain the new widened Dews Lane alignment;
3. Drainage and culvert headwalls; and
4. The provision of permanent fences to demarcate land boundaries and allow accesses to be secured.

This is a straightforward application and as such, there are no statutory grounds on which to refuse it or to attach any conditions to it. The creation of a new Dews Lane alignment is a scheduled work.

9.0 OTHER ISSUES

ECOLOGICAL FEATURES

The habitats on site include hard-standing (Dews Lane), temporary buildings (sheds and outbuildings) and a small area of broad-leaved woodland, which extends to the northeast of the site. Lowland pasture (semi-improved neutral grassland) and hedgerows are found to the north and south of the site. The surrounding habitat is mainly lowland pasture, with a few arable fields, and there is an outdoor activity centre with associated water bodies to the west (including Harefield Number 2 Lake).

There are known associated (active) badger setts in the vicinity of Dews Lane. A link will need to be maintained across Dews Lane during construction and operation phases in order to ensure that badgers can safely move across the road.

A likely breeding roost of brown long-eared bats *Plecotus auratus* has been identified at Dews Lane Farmhouse. The farmhouse is adjacent to the works area for the Dew's Lane widening so mitigation works are likely to be required. A European Protected Species Licence will need to be obtained prior to any construction works.

The habitats present within the site and in the surrounding survey area are potentially suitable for common species of reptiles in the active period, but no potentially suitable hibernacula for reptiles were found within the site boundary. Mitigation will need to be put in place in order to ensure that reptiles are not killed or injured during construction.

Breeding bird surveys in 2019 recorded several widespread waterbird species on Harefield Number 2 Lake. These included tufted duck *Aythya fuligula*, common tern *Sterna hirundo* and black headed gull *Chroicocephalus ridibundus*, although there was no evidence to confirm breeding attempts by any of these species.

To maintain connectivity between both sides of the works area during construction (and operation) an underpass measuring at least 500 mm wide x 600 mm high (is to be installed under the new Dews Lane alignment and the existing Dew's Lane. Initially, and prior to installation of the underpass, fencing around the works area will be designed to permit badgers to pass underneath the works to prevent the badgers becoming trapped in the construction area. The mitigation will comprise part of the overall mitigation scheme in relation to the scheduled works.

The applicant submits that the design of habitats and landscape planting will benefit a range of plants and animals. No specific species targets have been developed for the site regarding habitat. However, the creation of a variety of habitats as described above should benefit a wide range of species.

The area to be impacted by the proposals is not designated as a site of importance for nature conservation and Natural England raises no objections in principle to the proposed works. However, as set out above, the proposed development includes measures relating to a number of different protected species. Natural England therefore advises that the proposals must be designed in accordance with any relevant protected species licence and ecological standards for the project. An informative is recommended to that effect.

LANDSCAPE

The proposed Indicative Landscape Scheme is not for approval under this Schedule 17 application and has been submitted for information purposes only. The indicative landscape proposals for Dews Lane form part of wider and integrated restoration works associated with the Colne Valley Viaduct (CVV) and associated infrastructure. The applicant submits that the landscape strategy is predicated on conserving as far as possible the existing character of the receiving environment, and where achievable, to bring betterment with regards to public access; improving the interface between retained dwellings and the road corridor; and protection of habitats (with localised enhancement where practicable).

The design incorporates a significant amount of tree replanting in order to maintain enclosure and reinforce the rural character of Dews Lane. This will be further supported by planting/seeding

between the new carriageway and the existing Dews Lane alignment, to enhance the separation of the two routes and provide for an improved recreational environment. The area for additional planting is partly constrained by utility diversions.

The landscape treatment includes:

- A linear belt of trees and scrub to establish the boundary between the road corridor and land to the south. These planting areas will replicate the existing character of the enclosed road corridor and act to screen views from the south including those from the U34 footpath that will be diverted as part of the wider HS2 scheme in, this area. Planting will connect to the retained and substantive woodland block on the south side of the road to form an important and uninterrupted habitat corridor.
- Localised linear woodland and woodland edge planting on the northern side of the retained (but downgraded) Dews Lane alignment; the planting will create a buffer between the footpath and land to the north which will (in part) be occupied by the National Grid station on Harefield Moor.
- Planting and seeding within the verge between the new road corridor and the downgraded Dews Lane. This will create a degree of separation (visual and physical) between pedestrians and road users.
- All areas which are planted will be seeded to create initial ground cover; additional seeded areas are also proposed where there is insufficient space to establish planting or where sight lines and/ or vehicle overrun areas are proposed.
- Seeding of the drainage pond will comprise species which are tolerant of wet and dry conditions to reflect fluctuating water levels within the basin

The applicant advises that a Site Restoration scheme will be submitted under paragraph 12 of Schedule 17 in due course, once the temporary use of the land is due to complete. Similarly, a Bringing in to Use approval under paragraph 9 of Schedule 17 for the scheduled work will be submitted.

WATER AND FLOOD RISK

The highway works are located within Flood Zone 1 and the risk of flooding from rivers is identified as low. The risk of flooding from surface water is identified as very low. The only area indicated to be at risk is to the north of the existing Dews Lane, which is not subject to this Schedule 17 request for approval.

The existing 8.5m long twin 450mm diameter culvert will be upgraded to a single 600mm diameter culvert 23m long. The culvert will be laid at a constant gradient from the north of the existing to the south of the re-aligned Dews Lane; maintaining the connectivity between the land drainage catchments.

The surface water collection arrangement at the junction with Harvil Road and at accesses along Dews Lane, will be by either gullies or short sections of filter collectors. From these locations the flow will then be conveyed by the filter collector, or a lower carrier drain through a section of higher ground, to the outfall via the drainage pond. The rate of discharge will be controlled by a Flow Control Device, designed in accordance with the HS2 Technical Standards, the Defra Technical Standard, and the Design Manual for Roads and Bridges to the minimum practicable rate of 5 l/s.

Due to the ground conditions infiltration is not a viable means of disposal for the whole new impermeable area; only a very small area ~80m² will be discharged to ground. Therefore, the runoff

will need to be attenuated to ensure there is no increased flood risk to vulnerable receptors for a 1 in 100 year + 40% CC storm event. This will be achieved with an open vegetated drainage pond (including a sedimentation bay, flow control and overflow arrangement) which will discharge to the Newyears Green Bourne.

The Dews Lane drainage system will be independent of any rail drainage systems. Water quality and the risk of an accidental spillage causing an acute pollution incident has been considered within the design. The arrangement of filter drains and a drainage pond will provide a two stage treatment train which will remove over 60% of suspended sediment, hydrocarbons and some soluble pollutants prior to discharge to the water environment.

The applicant submits that the drainage system has been designed in accordance with the HS2 Technical Standards and Guidance Notes, the Design Manual for Roads and Bridges and the DEFRA Technical Standard on Sustainable Drainage. In addition to these, the design of the drainage pond has taken into account the Construction Industry Research and Information Association (CIRIA) SuDS Manual (C753) to ensure that it is built to an acceptable standard.

The Flood Officer considers that the level of detail submitted, in order to be able to review the drainage arrangement, is inadequate and does not clarify the long term adoption and maintenance requirements as requirement of the NPPF paragraph 165, which requires appropriate proposed minimum operational standards and maintenance arrangements in place, to ensure an acceptable standard of operation for the lifetime of the development.

The Council would require that drainage proposals follow the SuDs Hierarchy and a demonstration that the most sustainable options which minimises long term maintenance and costs is adopted. The Flood Officer suggests that instead of the creation of a new 600mm pipe line, an open ditch, which could provide additional storage should be considered and evidence provided of the consideration of all options.

There are also options proposed to manage the interaction with a Council adopted road and the highway drainage. The surface water collection arrangement at the junction with Harvil Road and at accesses along Dews Lane should be agreed with the Council, to ensure it meets Highway drainage requirement and context.

However, it should be noted that approval of the drainage arrangements for the re-aligned Dews Lane, including the proposed earthworks required for this request for approval will take place via a Schedule 33 submission, under the HS2 Act. Drainage information is therefore provided within this Schedule 17 submission for information only. A separate consent will be applied for under Schedule 33 to the HS2 Act for the permanent drainage outfall arrangements to the Newyears Green Bourne.

Given the above considerations, the drainage matters remain a concern, as the Council is the Lead Local Flood Authority. As such, away from HS2 Ltd, the Council has responsibility for the management of surface water drainage networks. What the HS2 Act does is to require those matters to be resolved between HS2 Ltd and the Environment Agency. However, when it is operational, it is the Council who will have to manage the consequences.

Simply put, HS2 Ltd and the Environment Agency are agreeing on the drainage systems the Council then has to manage, which officers consider not to be overly collaborative. In this instance, what it means is that the Council may not be able to adopt the highway and that HS2 Ltd will have

to secure appropriate management regimes for the drainage systems, so that if there are future problems, there are plans in place for the Council, as the lead local flood authority, to resolve.

An informative is therefore recommended advising the nominated undertaker to work with the Council to identify the impacts of the proposals on the surface water drainage regime in the area, including impacts on the Newyears Green Bourne and the adopted highway. This work must be undertaken on a strategic basis, and factoring in all the relevant parts of this project.

HERITAGE AND ARCHAEOLOGY

Archaeology

The applicant advises that consultation was undertaken with Historic England and GLAAS during preparation of the Project Plan.

Geophysical survey and trial trench evaluations have been completed by the enabling works contractor FUSION in the area south of Dews Lane, including the proposed location of the drainage balancing pond. Significant remains of archaeological interest, dating to the Late Mesolithic - Early Neolithic, Bronze Age, Iron Age and medieval period, were found at several locations within this area to the south of Dews Lane and in proximity to the New Years Green Bourne. However, no significant archaeological remains were identified within the land required for the proposed Dews Lane widening scheme.

The applicant advises that further survey will be undertaken in the area of the proposed balancing pond upon removal of the vegetation, through the processes identified in the Historic Environment Research and Delivery Strategy. If significant finds are located, it will be considered whether the proposed balancing pond can be relocated.

Historic England (GLAAS) advise that archaeological trial trenching has been carried out on either side of Dews Lane with negative results to the north and immediately to the south. GLAAS therefore concludes that the proposal will not have a significant effect on heritage assets of archaeological interest and that it is satisfied that the question of amending the design to preserve an archaeological site does not arise.

In summary, the site subject to this Sch. 17 request is not affected by any archaeological finds and the proposed works are not anticipated to impact upon any areas of archaeological interest.

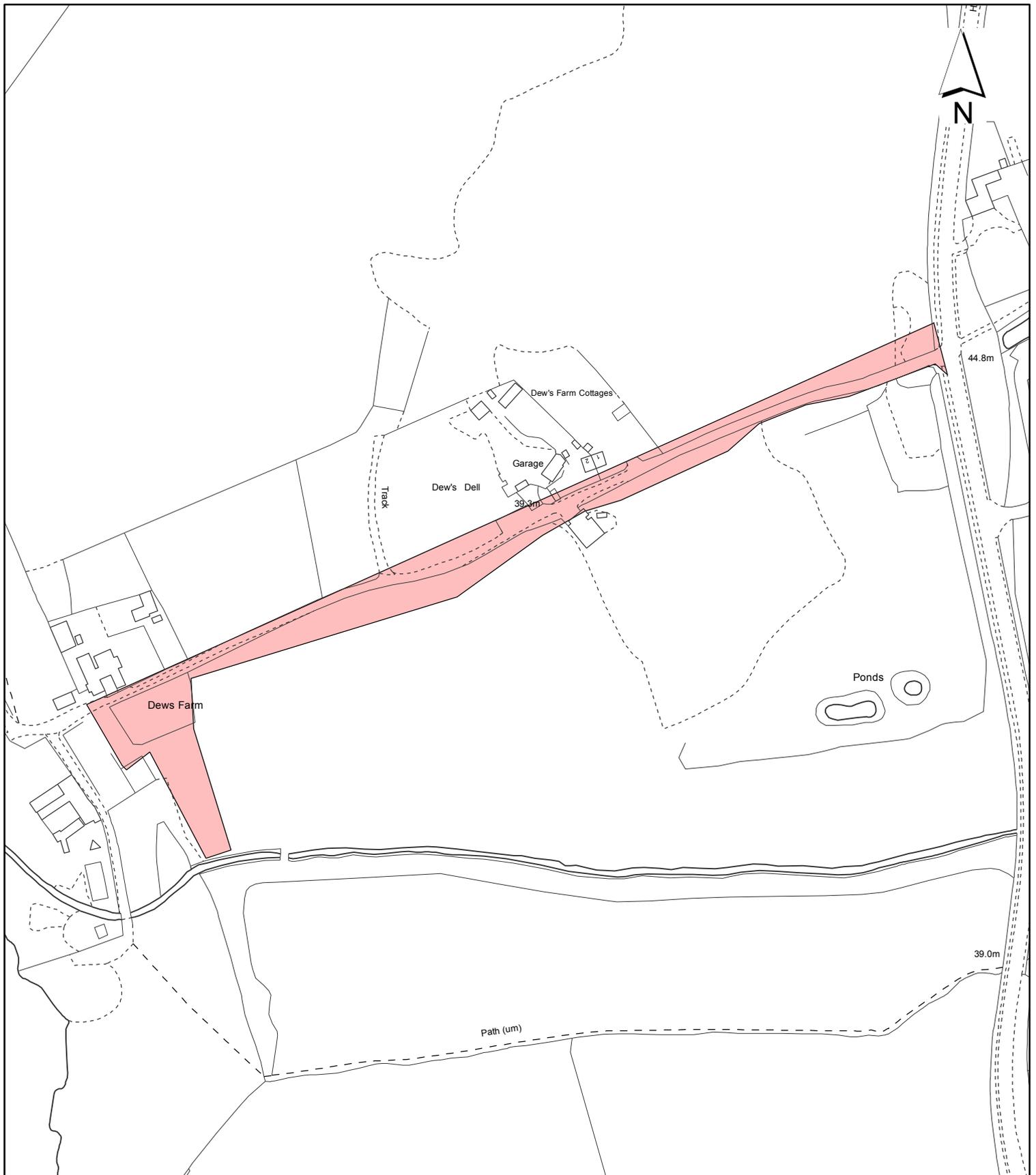
Historic Building Recording Works

The locally listed Dews Lane farm buildings lie within the site boundary. No other national or locally listed buildings lie in immediate proximity to the site. As part of the Dews Lane realignment, these buildings will be demolished. Mitigation includes full historic building recording in advance of demolition occurring, in accordance with the HS2 Historic Environment Research and Delivery Strategy. Historic building recording will be required to investigate and record the historic fabric of the building and to identify any architectural features worthy of salvage, including the Blue Plaque. The applicant advises that these works will be undertaken once vacant possession of the building has been secured, with the recording works taking place both prior to and during demolition works.

10.0 REFERENCE DOCUMENTS

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

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



Notes:

 Site boundary

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Site Address:

**Land at Dews Lane
 Dews Lane
 Harefield**

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

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

Planning Application Ref:

75435/APP/2020/1057

Scale:

1:2,500

Planning Committee:

HS2

Date:

June 2020



HILLINGDON
 LONDON