

Drawing Nos:

Date of Amended Plans:

Date Application Valid: 11th September 2020

1. SUMMARY

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 the South Ruislip Vent Shaft Head House compound, which includes the vent shaft headhouse building, the fan room building, two ventilation stacks, road vehicle parking, an Autotransformer Station, earthworks for retaining walls and associated fencing and artificial lighting units.

There is no statutory obligation to consult with neighbours. However, Natural England and Historic England (including GLAAS) are statutory consultees for this proposal and have raised no objections.

The application is the latest in a series of HS2 Schedule 17 planning submissions that have 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. This includes the principle of a headhouse building and ancillary works having already been approved in this broad location. The role of the Planning Authority is therefore heavily restricted as to what can and cannot form the basis of a decision.

No objections are raised to the proposed building design, parking area, transformer location, earthworks and associated fencing and lighting.

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

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 Paragraph 9 sub section (4)(a) of Schedule 17 of the Act.

2. RECOMMENDATION

APPROVAL

INFORMATIVES

3. CONSIDERATIONS

3.1 Site and Locality

The site is located in South Ruislip, adjacent the Chiltern Mainline railway (Marylebone to Aylesbury line) and the London Underground Central line. The area immediately surrounding the site is largely industrial in nature, with some retail uses.

To the immediate north of the site is the Braintree Road Industrial Estate, which is designated as a Locally Significant Industrial Site within the Hillingdon Local Plan. The industrial estate houses a variety of small-scale manufacturing, motor repair and textile businesses. North-east of the site is vacant land which is currently used for storage of bulk materials such as cars. This land is located within the Limits of Land to be Acquired or Used (LLAU) for the project and will be used for construction laydown purposes, before being disposed for subsequent development. .

A large Aldi and B&M Home Goods store, with associated car parking is located to the north of the vacant site. To the east of the site is a large ASDA and CineWorld complex, with associated perimeter car parking.

The immediate south of the site is dominated by the Chiltern Mainline railway, beyond which is the Odyssey Business Park which includes a variety of professional office suites.

The site itself is vacant, featuring areas of handstand and is used for the storage of bulk materials. It features unmaintained perimeter vegetation along the rail corridor boundary.

Access to the site is via a private road, off Victoria Road, adjacent Old Dairy Lane, which services the ASDA and CineWorld complex.

3.2 Proposed Scheme

The proposed development relates to the South Ruislip Vent Shaft Head House compound, which includes the vent shaft headhouse building, the fan room building, two ventilation stacks, road vehicle parking, an Autotransformer Station, earthworks for retaining walls and associated fencing and artificial lighting units.

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

- Work No. 1/15 - A railway (22.77km in length) partly in tunnel commencing by a junction with Works Nos. 1/1 and 1/16 at a point 40m north-east of the junction of Stanhope Street with Granby Terrace passing north-west and terminating at a point 84m north-west of the bridge carrying Ickenham Road over the Marylebone to Aylesbury Line, and including shafts at Salusbury Road, Westgate, Greenpark Way, Mandeville Road and South Ruislip, a station at Old Oak Common and a crossover box at Victoria Road.

The development consists of the following operations or works for approval, which are not of a temporary nature, in accordance with Paragraphs 2 and/or 3 of Schedule 17:

>The erection, construction, alteration or extension of any building

Buildings submitted for approval comprise the vent shaft headhouse building, above the South Ruislip Vent Shaft, which comprising of the following three elements:

- The housing electrical and mechanical plant building, measuring approximately 30.5m x 29.35m and 14.15m high;
- The fan room building, measuring approximately 23.6m x 19.85m x 10m high, housing tunnel ventilation fans; and
- Two ventilation stacks at the fan rooms eastern end, measuring approximately 6m x 6m x 14.15m high.

The external finish of the vent shaft headhouse building will be predominantly timber, with brick and steel accents. The roof of the vent shaft headhouse building will feature two green roofs, one deep substrate and the other biodiverse. The exact planting schedule will be determined in consultation with council.

>A road vehicle park

The area to the north and west of the vent shaft headhouse building will be a combination of concrete block and slab paving, providing access and car parking for intermittent maintenance and (if required) emergency service vehicles.

The parking area will consist of large robust concrete slab paving which has been selected to visually match the semi-industrial lineside character of the site. Attenuation tanks for firefighting purposes (which are located underground and therefore not for approval), are located below the hardstanding area to the west. To the north of the hardstanding area, beyond the location of the proposed ATS, is a small section of woodland planting.

>Earthworks

Earthworks will be required around the vent shaft headhouse building, with proposed ground level changes required to provide a level site for construction and hard landscaping construction.

Concrete retaining walls will be constructed along sections of the southern and eastern boundary to ensure the proposed ground level changes are contained within the application area.

The western and eastern sides of the vent shaft headhouse building will be approximately up to 0.9m lower than the existing ground level. Similarly, this will facilitate drainage and soft landscaping.

>Transformers, telecommunications masts or pedestrian accesses to railway lines

An Auto Transformer Station (ATS) will located in the north side of the vent shaft headhouse

external compound, to ensure a sufficient and consistent power supply to the equipment in the vent shaft headhouse building and shaft.

The design of the ATS itself is to be carried out by a separate contractor in the future and as a result only the location of the ATS is for approval in this Schedule 17: Plans and Specifications application. For clarity the dimensions of the ATS, including the likely maximum height extent have been illustrated on photomontages, has been provided to ensure an accurate visual representation is provided at this stage.

>Fences and walls (except for sight, noise and dust screens)

The HS2 compound will be secured with 2.8m high security boundary wall/ fencing (effective height from the external areas) and double leaf access gate. Wherever vehicular access is possible, additional vehicular protection will be provided and incorporated within the wall.

Additional security fencing will be provided to ATS. It should be noted that only the location (not the design and external appearance) of fencing requires approval under Schedule 17.

>Artificial light equipment

The vent shaft headhouse building will feature external artificial lighting, with luminaires either fixed to the vent shaft headhouse building itself, retaining wall or on individual free-standing columns throughout the compound area. Under Schedule 17, the design of the artificial lighting unit itself, how it operates and its location, is subject to approval. As such, lux levels of light perceived at a property outside the site are not for approval under Schedule 17.

Lighting columns have been used where lighting affixed to the vent shaft headhouse has proved to be insufficient to provide necessary illumination across the larger compound. Lighting columns are a common element across the alignment and are 8m high.

Post mounted luminaires, affixed to security fencing, and the two different types of surface mounted luminaires, which will be affixed to the headhouse or external walls,

Under normal operating conditions, the compound will not be illuminated, except for the following:

- Compound entry and key access points to the vent shaft headhouse building will be permanently lit throughout night time period to 5 lux. This will ensure a necessary level of security and efficient operation of CCTV cameras; and
- Motion-activated lighting for sporadic HS2 operational purposes, during night time periods, will be to 10 lux.

Other works

There are aspects of the proposed development, such as soft landscaping and access road which will be subject to separate, future Schedule 17 applications:

Soft landscaping, identified as indicative mitigation, has been included as part of this application for information purposes, to provide context for the proposed development. highlighting the role of plantings in screening the proposed development. Soft landscaping will be subject to a separate

Schedule 17: Bringing Into Use application at a later date.

The design of the access road, connecting the vent shaft headhouse compound to the vehicle circulation area at the rear of Aldi and Victoria Road beyond, is the subject of a separate Schedule 17: Site Restoration Scheme application. This Site Restoration application will include the land subject to development, to the north of the vent shaft headhouse compound.

Alongside construction of the vent shaft headhouse, attenuation tanks and firefighting tanks, drainage, access road and perimeter fencing will be installed. Construction of the South Ruislip Ventilation Shaft is envisaged to only require one construction compound, encompassing site and security offices, subcontractor facilities, storage area and crane yard. However, underground works, such as the vent shaft structure itself or attenuation tanks, are not for approval under Schedule 17.

The South Ruislip vent shaft will be constructed to provide the following functions for the operational HS2 railway:

- For ventilation purposes, to provide fans, related mechanical and electrical equipment and control systems necessary to control smoke in the event of a fire or for environmental control/airflow in stalled train conditions; and
- To act as a dedicated intervention point, allowing access down to the Northolt Tunnels for the emergency services in the event of an incident occurring.

At the top of the vent shaft, the headhouse building will be constructed, with an associated external fully secure compound.

3.3 Relevant Planning History

The High Speed Rail (London - West Midlands) Act 2017 ('the Act') provides powers for the construction and operation of Phase 1 of High Speed Two. HS2 Ltd is the nominated undertaker in relation to the works subject to this Plans and Specifications submission. Section 20 to the Act grants deemed planning permission for the works authorised by it, subject to the conditions set out in Schedule 17. Schedule 17 includes conditions requiring the following matters to be approved or agreed by the relevant LPA.

- Construction arrangements (including large goods vehicle routes);
- Plans and specifications;
- Bringing into use requests; and
- Site restoration schemes.

This is therefore a different planning regime to that which usually applies in England (i.e. the Town and Country Planning Act) and is different in terms of the nature of submissions and the issues that the LPAs can have regard to, in determining requests for approval. Schedule 17 of the Act sets out the grounds on which the LPA may impose conditions on approvals, or refuse requests for approval.

HS2 Ltd as the nominated undertaker is contractually bound to comply with the controls set out in

the Environmental Minimum Requirements (EMRs). The EMRs include the High Speed Two Code of Construction Practice (CoCP).

The Environmental Statement (ES) is an assessment of the likely significant environmental effects of the proposed HS2 railway and the proposals to avoid, reduce or remedy these likely significant environmental effects.

HS2 Ltd as the nominated undertaker is contractually bound to comply with the controls set out in the Environmental Minimum Requirements (EMRs). These controls along with the powers contained in the High Speed Rail (London - West Midlands) Act and the Undertakings and Assurances are designed to ensure that impacts which have been assessed in the ES will not be exceeded.

The EMRs comprise the following suite of documents:

- Code of Construction Practice (CoCP)
- Planning Memorandum
- Heritage Memorandum
- Environmental Memorandum
- Undertakings and Assurances

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.EM6 (2012) Flood Risk Management**

(2012) Flood Risk Management

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

(2012) Biodiversity and Geological Conservation

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

(2012) Land, Water, Air and Noise

Part 2 Policies:

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

Biodiversity Protection and Enhancement

2. **DMHB 1 Heritage Assets**

Heritage Assets

3. **DMHB 14 Trees and Landscaping**

Trees and Landscaping

4. **DMT 1 Managing Transport Impacts**

Managing Transport Impacts

5. **DMT 2 Highways Impacts**

Highways Impacts

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

(2016) Flood risk management

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

(2016) Green Belt

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

(2016) Biodiversity and access to nature

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

(2016) Trees and woodlands

10. **LPP 4.11 (2016) Encouraging a connected economy**

(2016) Encouraging a connected economy

11. **LPP 5.13 (2016) Sustainable drainage**

(2016) Sustainable drainage

12. **LPP 6.2 (2016) Providing public transport capacity and safeguarding**

(2016) Providing public transport capacity and safeguarding land for transport

13. LPP 6.4 (2016) Enhancing London's Transport Connectivity

(2016) Enhancing London's Transport Connectivity

14. 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.

15. LPP 7.18 (2016) Protecting open space and addressing deficiency

(2016) Protecting open space and addressing deficiency

16. LPP 7.4 (2016) Local character

(2016) Local character

17. NPPF National Planning Policy Framework

National Planning Policy Framework

6.0 COMMENTS ON PUBLIC CONSULTATION

6.1 HISTORIC ENGLAND (GLAAS)

I agree with the applicant's written statement. As there are no known archaeological remains in this location and low potential for new discoveries, I do not consider these building works ought to be modified to preserve a site of archaeological interest.

NATURAL ENGLAND

NO COMMENT

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

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.

TRANSPORT FOR LONDON

I understand that this application under schedule 17 of the HS2 Hybrid Bill. I can confirm that HS2 are in consultation with TfL on this site. Therefore we request that the grant of planning permission be subject to conditions to secure the following:

This development has the potential to impact upon TfL infrastructure and as such that impact

should be modelled and mitigated against. To date HS2 have been in consultation with TfL and must continue to do so. HS2 must continue to act in accordance with the Protective Provisions Agreement between TfL and the Secretary of State, dated 15th May 2014 as well as the Further Protective Undertakings Agreement.

This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

(Officer Note: Compliance with separate legislation is outside the scope of this Schedule 17 submission).

6.2 TREE AND LANDSCAPE OFFICER

This site is occupied by an area of waste ground located to the north-east of railway lines, in the south-east corner of the Braintree Industrial Estate. The adjacent land to the south-east is occupied by the ASDA fuel station and car park at a lower level, part of the Arla Place development. There is a wooded boundary against the railway corridor and within the wedge-shaped western corner of the site. There are no TPO's or Conservation Area designations affecting the site.

COMMENT: No tree survey has been submitted, however, it is evident that tree / scrub clearance will be required to enable the development. Proposals indicate that boundaries will be secured with 2.8m secure fencing (type unspecified) with retaining walls in selected areas, to cater for localised changes of level with adjacent sites. Security floodlighting will be located around the site. The Vent Shaft Headhouse and Fan House will feature extensive green roofs planted with a mix of shrubs, herbaceous species and grasses to encourage biodiversity.

Indicative planting is shown on drawing No. SL06-431003. This will comprise a mix of woodland, individual trees, scrub and rough grass located in the western corner, the south-east corner and along the north-east boundaries. According to the plans, the soft landscape details are not among the elements for approval.

RECOMMENDATION: No objection, however, the soft landscape elements are not subject to approval and are not as detailed would be expected if subject to approval.

FLOOD AND WATER MANAGEMENT OBSERVATIONS

Initial Comments

It is noted that there is a proposal for a green roof included. However no other details normally requested for and provided within planning application in order to allow the LLFA to assess and understand the drainage proposals have been submitted. This work proposed involves considerable work in an area that has suffered from SW issues as outlined in Flood Investigation and is part of a Critical Drainage Area.

We are not aware of the discharge rate proposed for this site and in LBH this is required to be greenfield in order to manage the surface water risks. Not a standard 5ls per hectare. This

feedback has been provided to HS2 on many previous occasions and there is no transparency in this application to show this has been followed.

There is also limited information on where this site drainage will connect to as there is no public sewer nearby. Any surveys undertaken should be provided to LBH and the Water Utilities to update their system to demonstrate there is an appropriate system to connect into which condition is appropriate to connect into.

Updated Observations

Officers raised the concerns about the lack of drainage information with the applicant. Further information was then provided in the form of a drainage plan and short statement outlining how surface water will be dealt with. The information is considered to be sufficient to determine that the impacts of the proposal will be minimal and unlikely to contribute to an increased risk of flooding, either on the site or elsewhere in the area. The drainage information shows the use of attenuation tanks which should provide adequate storage and improve the rates of run-off from the site in times of heavy rain. Officers are now satisfied that the proposals are acceptable in flood risk terms.

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

7.1 BUILDING WORKS

In accordance with Schedule 17 of the Act, the relevant planning authority may only refuse to approve plans or specifications on defined grounds. Paragraph 2 of Schedule 17 outlines the grounds for determination for 'building works', which in this submission include:

- The housing electrical and mechanical plant building,
- The fan room building,
- Two ventilation stacks

The grounds for determination under Paragraph 2 of Schedule 17 are as follows:

- (a) the design or external appearance of the building works 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 is reasonably capable of being so modified, or
- (b) the development ought to, and could reasonably, be carried out elsewhere within the

Appraisal

The design is determined by the engineering requirements for a shaft containing intervention facilities and pathways for essential services, with tunnel ventilation fans located at ground level, together with other mechanical and electrical plant.

The applicant submits that the visual impact of all 'building works' has been reduced by the careful design of materials, locations and screening, to maximise the integration of the works into the local environment. Therefore, it is not considered that the design or external appearance of the works ought to be modified to preserve local environment or amenity.

In addition to the works for which this Schedule 17: Plans and Specifications submission relates and require approval, the overall mitigation scheme in this location also includes:

- Ecological planting around the vent shaft headhouse has sought to mitigate for the loss of open mosaic habitat on previously developed land. This is achieved through planting native scrub and wildflower grassland habitat (this will be further enhanced by the green roofs, which will provide additional biodiversity and further replacement habitat);
- The use of gravel and ballast in certain areas, in addition to soft landscape and planted areas in general, will provide opportunities for passive on-site water retention;
- Rough grassland, woodland understory planting and semi mature trees along the southern border of the site will provide ecological connectivity, ecological habitat mitigation and visual mitigation from residential properties to the south;
- Landscape design has incorporated two drainage retention basins adjacent the rail corridor, assisting the natural disposal of storm water on site; and
- The planting of vegetation along key frontages to screen and reduce the visual impact of the proposed vent shaft headhouse building. The use of screen planting will help mitigate any potential visual impact on neighbouring commercial properties or residential land uses (namely residential properties south of the rail corridor, where on-site screen planting is in addition to existing planting,

The mitigation will comprise part of the overall mitigation scheme in relation to the scheduled works and will be subject to a future Schedule 17: Bringing Into Use application. The mitigation has been brought forward as part of this application for information purposes. This is to provide full context of the proposed development's complete arrangement.

With regards to the mitigation of noise impacts, the applicant submits that the works have been designed to be compliant with the EMRs, technical standard and Information Paper E22, as far as it is practical to do so at this stage in the design process. HS2's Railway Systems Contractor will be responsible for the design, construction and commissioning of the stationary systems later in the project, and assessing for operational compliance with the environmental controls established by the Act. This will ensure that adverse noise impacts will be avoided as far as practical and reasonable to do so.

Details of the indicative mitigation submitted for consultation in accordance with paragraph 7.5.2 of the Planning Memorandum are the subject of a separate consultation.

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. It is not therefore considered that the works are reasonably capable of being modified to preserve a site of archaeological or historic interest.

In terms of ecology, Natural England raises no objections to the proposed building works. The development site is not a site of nature conservation value and therefore the design and external appearance does not need to be modified in accordance with the Act. The Council will continue to work with HS2 Ltd on the landscaping approach across the route and will expect an appropriate design in and around the proposed development. This will be dealt with outside of this Schedule 17 submission.

Flooding

The initial concerns regarding flood risk associated with the site have been addressed through the submission of further information. The site is on the edge of a critical drainage area that covers a large area across Ruislip. The site is currently hardstanding with limited attenuation to Network Rail drainage assets. The proposed drainage solution is to provide storage tanks that minimise the run off in a storm event and provide appropriate attenuation. Officers consider that the scope of drainage does fall within the material considerations, as the design of the headhouse is inherently linked to the run-off; in other words, the design of the headhouse would have an impact on the local environment if drainage was inadequately managed. The submission of the additional information was necessary to ensure that drainage matters were properly addressed through this submission.

Whilst the details are being provided for information only, officers advise that any subsequent approval brings this information into line with the details for determination i.e. the drainage details form part of the submission regardless of the request of the applicant. In turn, this brings the drainage design into the scope of the Town and Country Planning Act enforcement powers as set out in Paragraph 20 of the Act.

It is not considered that the building works will have any detrimental impact on the local environment or local amenity, road safety or the free flow of traffic in the local area.

It is not considered that the works ought to or could reasonably be located elsewhere within the development's permitted limits.

OTHER CONSTRUCTION WORKS

Paragraph 3 of Schedule 17 outlines the grounds for determination for 'other construction works', which in this submission include:

- Road vehicle parking area

Possible grounds for refusal of approval

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.

That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

Appraisal

Due to the infrequent on-site presence of personnel under normal operating conditions, it is not considered that the proposal will impact on the surrounding road network. The hardstanding area will accommodate visiting operational vehicles entirely within the compound. It is noted that this area also meets the relevant HS2 Technical Standards on space requirements for evacuating passengers

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.

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.

In terms of ecology, Natural England raises no objections to the proposed works. It is not considered that the design or external appearance of the works ought to, and could reasonably, be modified to preserve a site of nature conservation value.

It is not considered that the works ought to or could reasonably be located elsewhere within the development's permitted limits.

- fences and walls;

Possible grounds for refusal or approval -

That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

Appraisal

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.

- external lighting equipment;

Possible grounds for refusal of approval

That the design of the equipment, with respect to the emission of light, ought to, and could reasonably, be modified to preserve the local environment or local amenity.

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

Appraisal

The lighting design for approval in this application has been developed to minimise impacts to local sensitive receptors and preserve local amenity. Due to the location of the site predominantly in a light industrial area, it is unlikely that this operational lighting would cause any disruption, due to the lack of any sensitive receptors within the vicinity.

In the event of an intruder entering the compound without authorisation, the compound will be lit to 20 lux. This will support CCTV operations, which will respond rapidly due to the initial low levels of background lighting (i.e. 5 lux lighting to key access points) rather than lighting from complete darkness

.

The development forms part of a scheduled work and it is not considered that the external lighting equipment ought to be modified to preserve local environment or amenity.

Transformer

The design of the ATS itself is to be carried out by a separate contractor in the future and as a result only the location of the ATS is for approval in this Schedule 17: Plans and Specifications application. For clarity the dimensions of the ATS, including the likely maximum height extent have been illustrated on photomontages, has been provided to ensure an accurate visual representation is provided at this stage.

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 Paragraphs 2 and 3 of Schedule 17.

Paragraph 2 relates to building works which are defined as 'erection, construction, alteration or extension of any building'.

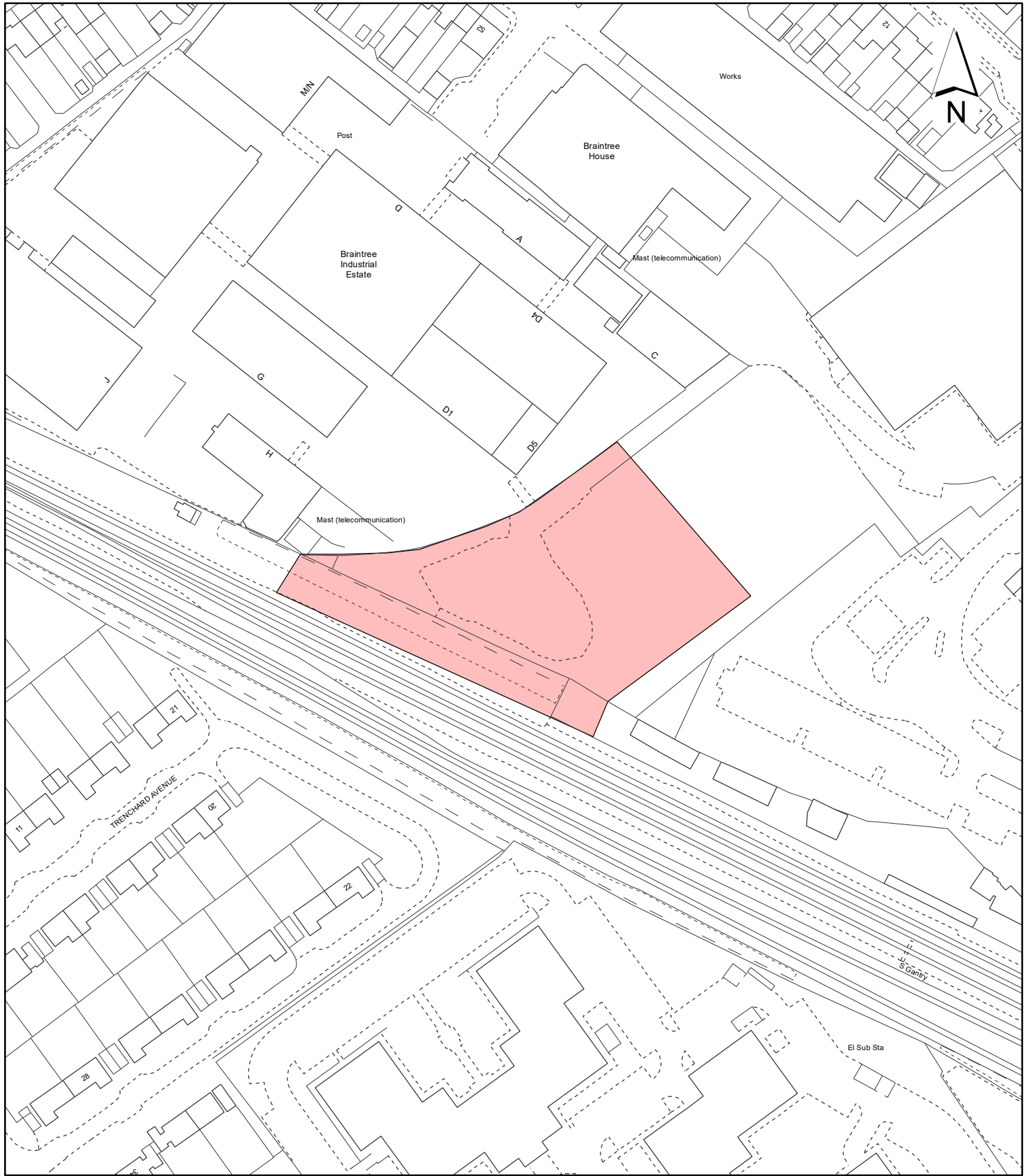
Paragraph 3 is wider in scope and relates to a number of matters which are the subject of this report including:

- . A road vehicle park
- . Earthworks
- . Fences and Walls
- . Artificial lighting equipment

The Court of Appeal handed down its judgment in relation to the proper meaning and effect of Schedule on 31 July 2020. The judgment makes it clear that a qualifying authority is under no legal obligation to determine a Schedule 17 application submitted by HS2 Ltd unless and until it has provided sufficient information in support of it.

In this case, HS2 Ltd has submitted sufficient information and therefore there is no legal basis for the Sub-Committee to refuse to determine it.

There are also no statutory grounds for refusing the application. These grounds, which Members of the Sub-Committee will now be familiar with , are essentially whether any modification is required,



Notes:

 Site boundary

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Site Address:

**BRAINTREE INDUSTRIAL ESTATE
 BRAINTREE ROAD**

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

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

Planning Application Ref:
7215/APP/2020/2901

Scale:
1:1,500

Planning Committee:
HS2

Date:
November 2020



HILLINGDON
 LONDON