



High Speed Rail (London - West Midlands) Act 2017

HS2 Ltd

London Borough of Hillingdon

Harvil Road Ecological Mitigation Site

**Schedule 17 Plans and Specifications
Written Statement for Information
Submission Ref: LBH.C111.PS.50**

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1 Introduction

1.1 Background Information

Scheme	High Speed 2
Applicant	High Speed Two (HS2) Limited
Applicant Address	Two Snow Hill, Snow Hill Queensway, Birmingham, B4 6GA
Site Address	Land to the west of Harvil Road, to the south of Dews Lane Harefield
Description	Plans and specifications submission under Schedule 17 to the High Speed Rail (London-West Midlands) Act 2017 for earthworks and fencing.

1.2 Terms of reference

This written statement is compiled in accordance with the High Speed Two (HS2) Planning Memorandum and Forum Notes as required by the planning regime established under Schedule 17 of the High Speed Rail (London-West Midlands) Act (the Act).

This statement provides the London Borough of Hillingdon with information to assist with the determination of the plans and specifications submission in relation to the above description of works. This statement is for information only and not for approval.

1.3 Introduction to High Speed 2

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.

Phase One of HS2 is the first phase of a new high speed railway network proposed by the Government to connect major cities in Britain. It will bring significant benefits for inter-urban rail travellers through increased capacity and improved connectivity between London, the Midlands and the North. It will release capacity on the existing rail network between London, Birmingham and the West Midlands and so provide opportunities to improve existing commuter, regional passenger and freight services.

1.4 High Speed Rail (London-West Midlands) Act 2017

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 works, which are the subject of this plans and specifications application, HS2 Ltd is the nominated undertaker.

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.

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);
- 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.

This document includes information supporting the plans and specifications submission in relation to the matters outlined in the table below:

Plans and specifications (permanent works)	Earthworks and fencing.
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1.5 High Speed 2 Code of Construction Practice

The nominated undertaker is contractually bound to comply with the controls set out in the Environmental Minimum Requirements (EMR). The scope of the EMR encompasses the High Speed 2 Code of Construction Practice (CoCP)¹.

¹ Department for Transport (DfT) and HS2 Limited (February 2017) High Speed Rail (London-West Midlands) Environmental Minimum Requirements Annex 1: Code of Construction Practice

1.6 Structure of Written Statement

This Statement is structured as follows:

- Section 2 describes the location and characteristics of the works area;
- Section 3 describes the works that are for approval under this submission;
- Section 4 describes the design criteria and rationale for the proposed works;
- Section 5 describes a high level programme for the works and how they fit into the programme for other works in the area as set out in Schedule 1 of the Act;
- Section 6 identifies the other main consents associated with the work; and
- Section 7 sets out the plans and specifications, which accompany this submission.

2 Location and Characteristics of the Area

2.1 Description of the Site

The Harvil Road habitat creation site is located within the northwest corner of an agricultural field immediately west of Harvil road and immediately south of Dews Lane. The site is approximately 910m to the south of South Harefield. Hillingdon Outdoor Activities Centre is located approximately 350m west of the site. The site is approximately 1.6ha in extent and lies approximately 110m to the north-east of the HS2 railway line.

The site is shaped roughly in the form of a 'J', with a wider element at the south of the site extending towards the west, following the boundary of the southern portion of Dews Dell Site of Borough Importance (SBI) (Grade I)².

2.2 Ecological Features

Habitats

The arable agricultural field³ in which the site is located is bound to the south by an intact, species rich hedgerow⁴, which also contains a drainage ditch. The site is bound to the west and north (beyond Dews Lane) by an area of broadleaved woodland (Dews Dell SBI (Grade I)⁵ and to the east by an intact, species poor hedge⁶, separating the site from Harvill Road.

A lake, used by Hillingdon Outdoor Activities Centre, is located approximately 350m west of the site. This area is classified as a Site of Metropolitan Importance for Nature Conservation (SMI)⁷. To the south of the site is further arable field, which is bounded by the Chiltern Main Line, approximately 290m to the south of the site.

The Frays Valley Local Nature Reserve (LNR)⁸ is located approximately 580m south-west of the site.

² ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-01-011.

³ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-02-011.

⁴ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-02-011.

⁵ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-01-011.

⁶ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-02-011.

⁷ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-01-011

⁸ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley

Species

No legally protected species have been recorded within the site. However, a field approximately 95m to the south of the site is considered to be suitable otter terrestrial habitat⁹, other suitable otter habitat has been identified within Dews Dell SBI and to the east and west of the site.

Non-native invasive species

No non-native invasive plant species have been noted within the site. Should any be discovered during construction they will be managed in accordance with measures set out in the Code of Construction Practice.

2.3 Heritage

No heritage assets have been identified within the boundary of the site. However, the site lies within the Colne Valley Archaeological Priority Zone and has a general potential for Palaeolithic and Mesolithic remains within the Colne Valley. Additionally, the possible remains of an extractive pit / quarry (G04) have been identified within Dews Dell immediately west of the site¹⁰.

2.4 Water and flood risk

The site is not located within an area identified as at risk of flooding^{11,12}.

2.5 Highway Network

A Public Right of Way (PRoW) (U34) runs along the southern boundary of the field in which the site located.

The site is immediately connected to the public highway, with Dews Lane located immediately north and Harvil Road located immediately east of the site. Harvil Road connects with the B467 to the south and subsequently provides access to the A40, the M40 and M25.

⁹ ES 3.5.1.5.7 Volume 5 (November 2013) Map Books: Ecology CFA7 Colne Valley, Map Reference EC-11-023.

¹⁰ ES 3.5.2.7.7 Volume 5 (November 2013) Technical Appendices: CFA07 Colne Valley, Survey Reports (CH-004-007) Cultural Heritage

¹¹ Environment Agency (EA) (2017) Flood Map for Planning [online] <https://flood-map-for-planning.service.gov.uk/> [accessed May 2017]

¹² EA (2017) Long Term Flood Risk Assessment for Locations in England [online] <https://flood-warning-information.service.gov.uk/long-term-flood-risk/> [accessed May 2017]

3 Description of the Works

3.1 Introduction

This Written Statement is a supporting document relating to the request for approval of plans and specifications submission LBH.C111.PS.50 relating to earthworks and fencing pursuant to Schedule 17 of the Act. The plans and specifications for approval are listed in Section 7 of this Statement.

These works form part of HS2 Ltd's commitment to ensure that the HS2 scheme results in no net loss of biodiversity. As such, the Harvil Road site is part of a wider package of habitat creation.

The mitigation works, which are the subject of this Schedule 17 plans and specifications submission, are set out in Section 3.2 below.

Details of the HS2 Scheme in the wider area are provided within the London Borough of Hillingdon Context Report at the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623012/hillingdon_planning_context_report.pdf

In addition to the works for which approval of plans and specifications is required, the overall mitigation scheme in this location also includes habitat creation planting. The mitigation planting does not require approval of plans and specifications under paragraphs 2 or 3 to Schedule 17 to the Act and does not form part of this request for approval.

However, the mitigation planting will comprise part of the overall mitigation scheme in relation to Work 2/1, which will be submitted prior to the request to bring into use the scheduled work, in accordance with paragraph 9(4)(b) to Schedule 17.

Details of the mitigation planting (which does not require approval under Schedule 17 submission) are shown on drawing ref 1EW03-AEC-PL-DGA-CS01_CL01-013200 and are subject to a separate (but simultaneous) consultation.

3.2 Description of the works for approval of Plans and Specifications

The works for approval under Schedule 17 are shown on drawing ref 1EW03-AEC-PL-DGA-CS01_CL01-013100 and include the following:

- Earthworks totalling 680m², including:
 - o Two mitigation ponds with a total surface area of 500m²;
 - o One hibernaculum suitable for great crested newts with a surface area of 30m² (6m (l) x 5m (w)); and

- o One reptile bank suitable for basking reptiles each with a surface area of 150m² (20m (l) x 7.5m (w)).
- Permanent fencing erected along the northern, eastern and southern boundaries of the site (location only for approval). This will be timber post and rail adjacent to the highway and timber post and wire elsewhere unless otherwise specified by the landowner.

Given the small dimensions of the hibernaculum, it is considered de minimis (i.e. of insufficient scale to comprise development and therefore require an approval of detail under Schedule 17). However, recognising that this is a judgement for the local planning authority to make, the hibernaculum has been included in the earthworks for approval.

4 Design Criteria and Rationale

4.1 Constraints and Design Drivers

The general constraints and drivers, which have informed the design of the mitigation site, include:

- Accordance with HS2 requirements;
- Taking into account the proposed mitigation in the HS2 Environmental Statement and the Environmental Minimum Requirements;
- To ensure that the mitigation works are located within the HS2 Limits of Land to be Acquired or Used (LLAU);
- To ensure compliance with all terms and conditions set out in the route wide great crested newt licence, granted by Natural England and held by HS2 Ltd;
- To retain and protect mature trees, where possible, using appropriate root protection zones;
- To retain and protect hedgerows, where possible, to reduce any potential negative impacts for navigating bats; and
- Providing safe access to the site for construction traffic.

4.2 Earthworks

Mitigation Ponds

The number of ponds to be created at each mitigation site has been determined through a number of sources including:

- The HS2 route-wide Great crested newt (GCN) licence, which has calculated numbers of ponds required to mitigate for impacts to GCN at each habitat creation site; and
- The Principles of Mitigation Technical Note¹³.

Additionally, ponds have been provided to give capacity for late discoveries from ongoing surveys being undertaken. Furthermore, cognisance has been given to creating ponds as part of the HS2 commitment to no net loss of biodiversity.

The design and construction of the mitigation ponds will be based on the guidance set out in Section 8.3.1 of the Great Crested Newt Mitigation

¹³ London-West Midlands Environmental Statement. Volume 5 | Technical Appendices scope and methodology report addendum (Ct-001-000/2) (November 2013) Annex D – Ecology Technical note- Ecological principles of mitigation A report to HS2 Ltd by Arup/URS

Guidelines¹⁴ and will follow the range of guidance documents provided from the Freshwater Habitats Trust website.

The two new ponds will total a maximum of 500m² in surface area and have a minimum depth of 1.5m. The ponds will be located within an area of neutral grassland in the southern portion of the site.

The ponds will be designed to permanently hold some water to provide a wetland habitat all year round, although there will be 'drawdown' of water in the summer months. The use of a geosynthetic liner may be required if determined to be necessary for the pond to provide standing water for the entire year. This will be confirmed following further survey of ground conditions, which will include a trial pit or auger survey to determine the drainage characteristics of the soil.

Reptile Basking Bank

A reptile bank suitable for basking reptiles will be created within the south-west corner of the site, to the west of the proposed mitigation ponds. The reptile basking bank has been orientated to provide a southern face.

Hibernacula

A hibernaculum will be created using the spoil from the pond excavation mixed with hardcore, brick, rubble, logs etc. to create mounds. The hibernaculum will be located to the north-east of the ponds and located towards the south-east corner of the site, north-west of an area of woodland and woodland edge planting.

Excavated Material

The topsoil from the mitigation pond will be used to create the reptile basking banks and hibernaculum for which approval under Schedule 17 is sought.

The subsoil will be reused across the area identified for the creation of neutral grassland to reduce the nutrient levels from those associated with agricultural use to help the establishment of the neutral grassland. In order to create an effective neutral grassland, the material will create an uneven and rough surface. The change in levels will be slight and have a negligible effect on levels across the site, thereby not constituting an earthwork.

Therefore, it is not anticipated that there will be any residual spoil, which would need to be transported away from the site.

¹⁴ English Nature (2001) Great crested newt mitigation guidelines, Peterborough: English Nature

4.3 Boundary Treatment

New fencing is proposed along the northern, eastern and southern boundaries of the site. Although details of the fencing type have been provided in Section 3.2, only its location requires approval under Schedule 17.

A new hedgerow will be planted along the southern boundary and the existing hedgerow along the northern and eastern boundary will be retained although these elements do not require approval under Schedule 17.

4.4 Access

Access to the site will be through the existing agricultural access located along the northern boundary, leading onto Dews Lane, and will be relatively infrequent.

5 Programme and Sequence of Works

The London Borough of Hillingdon shall have regard to the submitted Programme required under paragraph 16 of the Planning Conditions Schedule 17.

The high level construction programme is set out below:

<i>Activity</i>	<i>Indicative Timescale</i>
Site access, surveys and mobilisation	April to December 2017
Construction of ecological habitat creation works	January to February 2018

6 Other Main Consents Associated with the Works

In addition to the plans and specifications approval discussed in this statement, a number of other approvals will be required and sought by the nominated undertaker under the appropriate statutory and legal framework. Works will be undertaken in accordance with these approvals.

6.1 Planning

- Schedule 17 Bringing Into Use for Scheduled Works; London Borough of Hillingdon.

6.2 Environment

- Great Crested Newt License; HS2 Routewide Licence

7 Plans and specifications

7.1 Plans for approval

The following plans are submitted for approval:

<i>Drawing Ref:</i>	<i>Title:</i>
1EW03-AEC-PL-DGA-CS01_CL01-013100	General Arrangement and Sections for approval

7.2 Plans for information

The following plans are submitted for information:

<i>Drawing Ref:</i>	<i>Title:</i>
1EW03-AEC-PL-DGA-CS01_CL01-013050	Site Location Plan
1EW03-AEC-PL-DGA-CS01_CL01-013200	General Arrangement for information