



Directorate for Planning, Growth and Sustainability

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BUCKINGHAMSHIRE COUNCIL DECISION NOTICE

Application no. 22/01330/HS2

Schedule 17 of the High Speed Rail (London – West Midlands), Act 2017

The local planning authority hereby PART REFUSES and GRANTS PART CONDITIONAL APPROVAL for the Plans and Specifications submission made under Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017 as detailed below:

Applicant: HS2 Limited, Two Snowhill, Snow Hill, Queensway, Birmingham, B4 6GA

Location: The Site Extends From Land To The East Of A413 London Road, Wendover Dean Between The Settlements Of South Heath And Wendover Dean, Buckinghamshire.

Proposal In accordance with Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017, the nominated undertaker hereby requests approval of PLANS AND SPECIFICATIONS comprising of:

- Bowood Lane Overbridge,
- Footpath TLE/2 Accommodation Overbridge,
- Cottage Farm Accommodation Overbridge,
- South Heath Cutting (Part of),
- Bowood Lane Drop Inlet Culvert,
- 1 No. Drainage Pond,
- Drainage ditches,
- Earthworks associated with the realignment of Bowood Lane (WEN/37/1) and maintenance access track,
- Earthworks associated with the realignment of the Cottage Farm Access Track and TLE/2 Footpath,
- Location of the Vehicle Restraint Barriers,
- Location of the permanent (security) fencing.

(1) PART REFUSAL

Works Comprising Work No. 2/23 of Schedule 1 of the High Speed Rail (London - West Midlands) Act 2017, including Bowood Lane Overbridge, Bowood Lane realignment earthworks, and associated vehicle restraint barriers and fencing locations.

Grounds for refusal under Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017

Grounds for Refusal 1

The design and external appearance of Bowood Lane Overbridge and the earthworks associated with the realignment of Bowood Lane, and consequently the location of vehicle restraint barriers and fencing, associated with Work No. 2/23 of Schedule 1 of the High Speed Rail (London - West Midlands) Act 2017 fail to preserve the distinctive character and historic interest of Bowood Lane.

The Bowood Lane Accommodation Overbridge carriageway width should be reduced to a single track, in line with the existing Holloway width and increase the width and quality of green verges to screen the bridge parapets to continue the Holloway character across the overbridge deck.

The Bowood Lane Realignment Earthworks should be amended to reduce the size of the bellmouths to a scale more consistent with the character of Bowood Lane. Additionally, further integration details between the earthworks and the overbridge should be provided to ensure the enclosed nature of the Holloway is retained as much as practically possible along Bowood Lane including at either end of Bowood Lane Overbridge.

The locations of vehicle restraint barriers and fencing associated with the Bowood Lane Overbridge and the Bowood Lane Realignment Earthworks should be revised in accordance with any changes to the Bowood Lane Overbridge design and the Bowood Lane Realignment Earthworks.

Therefore, the design, external appearance and siting of these works ought to, and could reasonably be modified to preserve the local environment and preserve a site of historic interest in accordance with paragraphs 2(5)(i)&(iii), 3(6)(2)(a) and 3(6)(5) of Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Grounds for Refusal 2

The design and external appearance of Bowood Lane Overbridge and the earthworks associated with the realignment of Bowood Lane, and consequently the location of vehicle restraint barriers and fencing, associated with Work No. 2/23 of Schedule 1 of the High Speed Rail (London - West Midlands) Act 2017 fail to prevent or reduce prejudicial effects on road safety of Bowood Lane.

The Bowood Lane Accommodation Overbridge carriageway width should be reduced so that a similar road user experience to that of the rest of Bowood Lane is retained so as not to confuse road users or provide the perception to road users that speed can be increased across the Bowood Lane Accommodation Overbridge owing to the open nature and wider carriageway.

Therefore, the design, external appearance and siting of these works ought to, and could reasonably be modified to prevent or reduce prejudicial effects on road safety in accordance with paragraphs 2(5)(ii), 3(6)(2)(b) and 3(6)(5) of Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

(2) PART APPROVAL SUBJECT TO CONDITIONS

Approved Plans and Documents (excluding works comprising Work No. 2/23 of Schedule 1 of the High Speed Rail (London - West Midlands) Act 2017 which are refused under the 'Part Refusal' section of this Decision Notice):

Plan Reference Number	Title	Revision
1MC06-CEK-TP-DGA-CS03_CL05-000020	South Heath to Wendover Dean General Arrangement Plan- For Approval	C02
1MC06-CEK-TP-DPL-CS03_CL05-000097	TLE/2 Accommodation Overbridge – Plan on Deck – For Approval	C02
1MC06-CEK-TP-DSE-CS03_CL05-000056	TLE/2 Accommodation Overbridge Footbridge – Longitudinal Section and Elevation - For Approval	C02
1MC06-CEK-TP-DDE-CS03_CL05-000028	TLE/2 Accommodation Overbridge - Cross Section and Parapet Details – For Approval	C03
1MC06-CEK-TP-DDE-CS03_CL05-000030	Cottage Farm Accommodation Overbridge - Cross Section and Parapet Details – For Approval	C03
1MC06-CEK-TP-DPL-CS03_CL05-000099	Cottage Farm Accommodation Overbridge – Plan on Deck - For Approval	C01
1MC06-CEK-TP-DSE-CS03_CL05-000058	Cottage Farm Accommodation Overbridge – Longitudinal Section and Elevation	C02
1MC06-CEK-TP-DPL-CS03_CL05-000109	Bowood Lane Drop Inlet Culvert – Plans and Sections – For Approval	C03
1MC06-CEK-TP-DPL-CS03_CL05-000083	South Heath to Wendover Dean Proposed Landform Plan	C02
1MC06-CEK-TP-DPL-CS03_CL05-000085	South Heath to Wendover Dean Earthworks Cross Sections Location Plan	C02
1MC06-CEK-TP-DSE-CS03_CL05-000020	South Heath to Wendover Dean Earthworks Cross Sections Sheet 1 of 6	C02
1MC06-CEK-TP-DSE-CS03_CL05-000021	South Heath to Wendover Dean Earthworks Cross Sections Sheet 2 of 6	C02
1MC06-CEK-TP-DSE-CS03_CL05-000022	South Heath to Wendover Dean Earthworks Cross Sections Sheet 3 of 6	C02
1MC06-CEK-TP-DSE-CS03_CL05-000023	South Heath to Wendover Dean Earthworks Cross Sections Sheet 4 of 6	C02
1MC06-CEK-TP-DSE-CS03_CL05-000024	South Heath to Wendover Dean Earthworks Cross Sections Sheet 5 of 6	C02
1MC06-CEK-TP-DSE-CS03_CL05-000025	South Heath to Wendover Dean Earthworks Cross Sections Sheet 6 of 6	C02
1MC06-CEK-TP-DDE-CS03_CL05-000020	South Heath to Wendover Dean Pond Details and Sections	C02

Subject to the following conditions:

Condition 1

Archaeological Method Statement – Fusion parcel reference numbers C21052P and C21054P

No development or preliminary groundworks of any kind shall take place within Fusion parcel reference numbers C21052P and C21054P until a Method Statement for preservation of archaeological remains has been submitted in writing and approved by the planning authority.

The location of Fusion parcel reference numbers C21052P and C21054P are identified within the High Speed Two ArcGIS Web Map dated 27 June 2022 below.



Ground: To ensure a site of archaeological value is preserved in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Condition 2

Footpath TLE/2 Accommodation Overbridge – Green Verge(s)

Notwithstanding the details shown on the approved plans, prior to construction above the deck, parapet stub and stitch of the Footpath TLE/2 Accommodation Overbridge details of the verge(s) provision shall be submitted to and approved in writing by the local planning authority.

The submitted details of the green verge(s) provision shall include appropriately detailed plans, elevations and cross-sections that demonstrate the following:

- i. Position and dimensions of the relevant green verge provision across the overbridge.
- ii. Depth and specification of all components of the green verge solution selected to ensure their satisfactory establishment and subsequent maintenance. This should

include but not be limited to all proprietary products, their fixings, specialist soil and other substrates, plant material and seed. Any above deck services shall be accommodated in a way that does not impair the satisfactory establishment of green verges.

- iii. Drainage details within the green verge(s) to support the establishment and ongoing success of the green verge.
- iv. The alignment of vehicle restraint systems and other fencing shall be clearly shown on all relevant drawings together with 'illustrative information' regarding their scale and appearance.
- v. Provision of green verges of both side of the overbridge.

Ground: To protect the local environment and to ensure an overbridge design that is both sympathetic to, and integrated with, its local landscape context in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Condition 3

TLE/2 Accommodation Overbridge – Parapet detailing

Notwithstanding the details shown on the approved plans, prior to the installation of the parapets of Footpath TLE/2 Accommodation Overbridge, details of the parapet finishes shall be submitted to and approved in writing by, the local planning authority.

The submitted details of the parapets shall include appropriately detailed plans, elevations and cross-sections that demonstrate the following:

- i. vertical joints between the parapet units and their ability to cope with variations in the longitudinal profile of the bridge structure without 'grinning' (unsightly and unevenly wide joints)
- ii. Internal facing parapet detailing

Ground: To protect the local environment and to ensure an overbridge design that is both sympathetic to, and integrated with, its historic and local landscape context in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Condition 4

Footpath TLE/2 Accommodation Overbridge – Surface Details

Notwithstanding the details shown on the approved plans, prior to construction of the bridge deck, appropriately detailed plans, elevations and cross-sections must be submitted to, and approved in writing by the local planning authority, showing:

- the finish to the bridge surface
- gutters
- inward facing elements and finishes to the parapets

Ground: To protect the local environment and to ensure an overbridge design that is functional, sympathetic to, and integrated with, its historic and local landscape context in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Condition 5

Cottage Farm Accommodation Overbridge – Green Verge(s)

Notwithstanding the details shown on the approved plans, prior to construction above the deck, parapet stub and stitch of the Cottage Farm Accommodation Overbridge details of the verge(s) provision shall be submitted to and approved in writing by the local planning authority.

The submitted details of the green verge(s) provision shall include appropriately detailed plans, elevations and cross-sections that demonstrate the following:

- i. Position and dimensions of the relevant green verge provision across the overbridge.
- ii. Depth and specification of all components of the green verge solution selected to ensure their satisfactory establishment and subsequent maintenance. This should include but not be limited to all proprietary products, their fixings, specialist soil and other substrates, plant material and seed. Any above deck services shall be accommodated in a way that does not impair the satisfactory establishment of green verges.
- iii. Drainage details within the green verge(s) to support the establishment and ongoing success of the green verge.
- iv. The alignment of vehicle restraint systems and other fencing shall be clearly shown on all relevant drawings together with 'illustrative information' regarding their scale and appearance.
- v. Provision of green verges of both side of the overbridge,.

Ground: To protect the local environment and to ensure an overbridge design that is both sympathetic to, and integrated with, its local landscape context in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Condition 6

Cottage Farm Accommodation Overbridge – Parapet detailing

Notwithstanding the details shown on the approved plans, prior to the installation of the parapets of Cottage Farm Accommodation Overbridge, details of the parapet finishes shall be submitted to and approved in writing by, the local planning authority.

The submitted details of the parapets shall include appropriately detailed plans, elevations and cross-sections that demonstrate the following:

- iii. vertical joints between the parapet units and their ability to cope with variations in the longitudinal profile of the bridge structure without 'grinning' (unsightly and unevenly wide joints)
- iv. Internal facing parapet detailing

Ground: To protect the local environment and to ensure an overbridge design that is both sympathetic to, and integrated with, its historic and local landscape context in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

Condition 7

Cottage Farm Accommodation Overbridge – Surface Details

Notwithstanding the details shown on the approved plans, prior to construction of the bridge deck, appropriately detailed plans, elevations and cross-sections must be submitted to, and approved in writing by the local planning authority, showing:

- the finish to the bridge surface
- gutters
- inward facing elements and finishes to the parapets

Ground: To protect the local environment and to ensure an overbridge design that is functional, sympathetic to, and integrated with, its historic and local landscape context in accordance with Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

INFORMATIVES

Informative 1

Lead Local Flood Authority

The applicant is advised to engage with the Lead Local Flood Authority in advance of the future Bringing Into Use submission required under Schedule 17 HS2 Act.

Details required for consent for Bringing Into Use include:

1. Infiltration rate supporting information.
2. Confirmation of which surfaces have been counted as contributing surface water to pond C2.L.8-PND-0500. The calculations must be redone if not all additional runoff versus the pre-construction situation are accounted for.
3. Detailed drainage layout showing full drainage network (pipe and manhole numbers, pipe gradients, and pipe sizes) provided.
4. Drainage calculation outputs for the entire drainage network (including carrier drains etc. in addition to the attenuation basins) provided.
5. Details of the flow spreader devices.

Informative 2

Overbridge Design

The applicant is asked to engage with the Local Planning Authority prior to the submission of details for TLE2 and Cottage Farm Accommodation Overbridge, pursuant to Conditions 2 and 5 of this approval.

The Local Planning Authority has consistently and repeatedly over a number of years advised the applicant that it expects overbridge designs to respect the local environment in which they are located, with due regard to the character and appearance of the local environment that they serve and local landscape context. This can be achieved by proposing overbridge designs with robust green verge provision that can help mitigate landscape harm, protect the local environment and safeguard the character and appearance of the locality.

Bespoke maintenance plans for the green verges are expected to accompany the later Schedule 17(9) application.

Informative 3

Noise Demonstration Report (NDR)

Whilst it is recognised that the NDR submitted with this application is not for consideration to the decision to be made at this stage, these comments are made to guide EKFB/HS2 on Buckinghamshire Council's expectations regarding future Schedule 17(9) applications.

It is understood that at this stage of the process understanding of potential noise impacts, source terms and mitigation performance is still evolving. The following points will need to be addressed in future Schedule 17(9) applications or via papers published by HS2 and made publicly available.

- Presentation within the NDR of predicted noise levels at all ES receptors, irrespective of whether the expected conditions currently fall below LOAEL, recognising that under the requirements of IP F4 there is potential for noise levels to be measured at levels above LOAEL at those receptors;
- A clear position and description on prediction uncertainty, including why HS2 considers that the numerical value for the prediction model uncertainty does not need to be directly

applied to predicted noise levels at receptors to meet the requirements of IP E20, U&A 1025 and U&A 1026;

- Supporting evidence (or direction to published papers) on the derivation of the source terms presented in the NDR and the apparent changes to those assumed in the ES (Vol 5 Technical Appendices);
- Details of further validation studies that justify the use of the HS1 (and hence HS2) model (beyond just the source terms) for speeds in excess on 300kph to meet the requirements of U&A 1026;
- The Council urges HS2 to develop and publish its proposals in relation to IP F4 activities. We reasonably expect to have received further information as a result of those activities (and other studies) prior to, or as part of the supporting material, for any Schedule 17(9) submission, in order for us to judge precisely whether the AFARP requirement at that point in time has been discharged, and whether U&As 1025 and 1026 for the final design have been fully discharged.

Informative 4

In accordance with assurances given by the Secretary of State, the applicant is reminded that HS2 Phase 1 Environmental Minimum Requirements must be fully complied with in undertaking the works.

Informative 5

During the application period officers requested further detailed plans relating to the integration of particular elements of the schemes. In response to this, limited written comments were provided including a note that the level of detail provided was of a similar level to that provided on a nearby approved submission (CDC P1). It is noted that there were multiple conditions applied to the CDC P1 approval requiring the submission of further information owing to a lack of detailed information within the submission.

Each submission has its own characteristics and the omission of details within one submission along the HS2 Line does not consequently limit the level of detail the applicant should provide when concerns are raised relating to the level of detail for a different submission. Therefore, it must be noted that should amendments to the scheme be required owing to issues with integration/mitigation at bringing into use stage, changes allowed will not be to the detriment of the local environment or local amenity of the area.

Informative 6

In accordance with the HS2 Phase 1 Heritage Memorandum, the applicant must adhere to the general principles for design, evaluation, investigation, recording, analysis, reporting and archive deposition to be adopted for the design development and construction of the scheme, in accordance with the HS2 Historic Environment Research and Delivery Strategy (GWSI: HERDS), and to any relevant location specific archaeological Written Scheme of Investigation.

Informative 7

The applicant is to note that prior to the bringing into use of relevant scheduled works, approval from the Council will need to be obtained under Schedule 17 (paragraph 9) to the HS2 Act. The Council will need to be satisfied 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 on the local environment or local amenity.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Bambrick', written in a cursive style.

Steve Bambrick
Service Director of Planning and Environment
On behalf of the Council

Date: 22/07/2022

NOTE

1. APPEALS

If you are aggrieved by the decision of your Local Planning Authority to refuse approval for the plans and specifications for the proposed works or the imposition of conditions on an approval, then you can appeal to The Secretary of State for Transport and the Secretary of State for Communities and Local Government under Schedule 17, Part 3, paragraph 22 of the High Speed Rail (London – West Midlands), Act 2017. If you want to appeal, you must do so within 42 days from the date of notification of this decision, using a form prescribed in Schedule 1 to the High Speed Rail (London – West Midlands) (Planning Appeals) (Written Representations Procedure) (England) Regulations 2017.