



Safeguarding Directions for development affecting the route and associated works for High Speed 1

St Pancras to Cheriton

The Secretary of State for Transport gives the following directions to the local planning authorities named in the Schedule in exercise of the powers conferred by articles 18(4), 31(1), 38(4) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the Order”)¹.

Commencement

1. These Directions come into force on the 3rd of September 2018 (“the commencement date”).

Application

2. These Directions apply in respect of any application for planning permission that:
 - a. has not been finally determined by the commencement date;
 - b. relates to development within the zones specified in paragraph 3; and

¹ S.I. 2015/595 was made under the Town and Country Planning Act 1990 (c. 8), and in particular section 74.

- c. is not an exempt application by virtue of paragraph 4.

Relevant Zones

- 3. The zones referred to in paragraph 2(b) are shown bounded by lines marked “Limits of Land subject to Safeguarding Directions” or “Areas of Sub Surface Interest” on the plans annexed to these Directions (being the zone relating to the route of a railway constructed between St Pancras to Cheriton (Kent)).

Exempt Applications

- 4. An application is exempt for the purposes of paragraph 2(c) if it is an application for planning permission which relates to development that:
 - a. lies within that part of the zone(s) shown on the plans referred to in paragraph 3;
 - b. consists only of an alteration to a building which is a hereditament that falls within the scope of section 149(3) of the Town and Country Planning Act 1990² (both before and after development); and
 - c. does not involve, or is not likely to involve, any construction, engineering or other operations deeper than 3 metres below existing ground level.

Duties on local planning authorities

- 5. Before a local planning authority may determine any application for planning permission to which these Directions apply it must consult with High Speed One (HS1) Limited (Company No. 06045862).
- 6. Where a local planning authority is required by paragraph 5 to consult High Speed One (HS1) Limited, they must not grant planning permission otherwise than to give effect to the recommendations of High Speed One (HS1) Limited:

² 1990 c. 8.

- a. unless they have delivered to the Secretary of State for Transport the material specified in paragraph 7; and
- b. until the expiry of a period of 21 days from the date on which the material was delivered to the Secretary of State.

7. The material referred to in paragraph 6(a) is:

- a. a copy of the application for planning permission together with a copy of any plans or documents submitted with it;
- b. a copy of the response of High Speed One (HS1) Limited to the consultation by the local planning authority in pursuance of paragraph 5;
- c. such information regarding the application as the Secretary of State may require by direction under article 34(8) of the Order; and
- d. a statement on the provision of the development plan and other issues involved, including whether the grant of permission would be contrary to the views of another Government Department.

8. These Safeguarding Directions cancel³ and replace the Safeguarding Directions for development affecting the route and associated works for the High Speed One rail project - the Channel Tunnel Rail Link Project – St Pancras to Cheriton (Kent), White City, Hoo Junction, and Richborough (Kent) issued to local planning authorities on 8 February 1996.

³ SI 2015/595, article 45

Signed by authority of the Secretary of State



Kamal Patel

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Department for Transport

A Senior Civil Servant in the Department for Transport

Schedule

London Borough of Camden

London Borough of Islington

London Borough of Hackney

London Borough of Tower Hamlets

London Borough of Newham

London Legacy Development Corporation

London Borough of Waltham Forest

London Borough of Barking and Dagenham

London Borough of Havering

Thurrock Borough Council

Kent County Council

Dartford Borough Council

Ebbsfleet Development Corporation

Gravesham Borough Council

Medway Council

Tonbridge and Malling Borough Council

Maidstone Borough Council

Ashford Borough Council

Shepway District Council

