



Department
for Transport

Summary of the Responses to Consultation on Reducing Safeguarding Directions on the HS1 Network

Moving Britain Ahead

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Introduction

The Department for Transport (“the Department”) has carried out a public consultation on the reduction of safeguarding for the High Speed One network. The Consultation ran between the 10 July and the 13 August 2017.

The responses to the Consultation have now been considered, with input from High Speed 1 Limited (“HS1 Ltd”) and London and Continental Railways (“LCR”). Following this consideration, the Department has decided that the safeguarded area will be amended, and largely in the way it had been proposed. However as a result of some responses, some small adjustments have been made to the boundary.

Next Steps

Revised safeguarding directions will be published, following to approval by the Secretary of State for Transport.

Responses Received

There were twelve responses during the period, including the Office of Road and Rail, London Borough of Camden, London Borough of Waltham Forest, London Borough of Newham and Gravesham Borough Council.

Of the twelve, seven agreed with the proposal to amend the safeguarded boundary, and four disagreed. The Office of Road and Rail commented but did not indicate whether the proposals were supported.

Three responders answered that they had been subject to safeguarding directions. All three did not agree with the amending of the Safeguarded Boundary.

Representations

The London Borough of Camden responded to welcome the proposal to reduce safeguarded land, and in addition they would welcome any further reductions.

Reside Developments responded on behalf of Fortress International Limited, a landowner of land affected by safeguarding near Gravesham. Their response was positive and in support of the reduction of safeguarding in this area.

London Resort Company Holdings (LRCH), developers of land in the Swanscombe Peninsula, responded to say that they understood the purpose of the proposed reduction in Safeguarding and are working with HS1 Ltd.

Tarmac, Northfleet Property LLP and Swanscombe Developments LLP responded positively to the proposals. As landowners of Safeguarded land they indicated that there are many planning proposals imminent and they will work to secure the successful protection of the rail infrastructure alongside development.

The response of Gravesham Borough Council questioned why the proposed new boundaries did not appear to follow recognised features, such as crossing fence lines or drainage ponds or fixed distances from the line.

Department for Transport's comment:

The intention was to follow the direction of the line, where possible, with an offset of around 30 metres either side. There may be occasions where features such as drainage ponds and buildings are crossed. These are features of a changing landscape, whereas as the safeguarding boundary is a legal boundary with greater permanence.

However, it can be possible in some situations for the boundary to take account of the landscape. As an example, an amendment has been made to follow the land around a drainage pond, located between the Singlewell feeder station and Cobham South Services. Previously it was proposed the boundary would cross this pond.

The London Borough of Waltham Forest requested that the boundary was reduced further, in an area north west of the Temple Mills Depot, at the junction of Lea Bridge Road and Orient Way.

Department for Transport's comment:

After discussion, it is agreed that a small area at the junction of Lea Bridge Road and Orient Way can be removed from safeguarding. This will benefit the "Lea Bridge and Leyton Vision" proposal approved by the Council and have no impact on the rail infrastructure.

A representation from a local resident in Gravesend raised concerns about the derestriction of protected areas, and wider environmental concerns around the development of transport infrastructure in the area.

Department for Transport's comment:

The purpose of safeguarding land was to ensure the construction and operation of the Railway. It is not an environmental protection or a restriction on development and any underlying environmental or planning policy will remain.

Any development within the Safeguarded land would require the Local Planning Authority to consult with HS1 Ltd. The reduction in safeguarded land means that fewer developments will now be referred to HS1 Ltd for comment.

The response of the Office of Road and Rail made the point that current and future uses of the Railway should be considered when reducing a Safeguarded area, similar to the work the ORR does on other Rail lines.

Department for Transport's comment:

The safeguarding directions are for the purpose of protecting the railway during construction and operation of the Railway. The Department, LCR and HS1 Ltd have worked closely and are satisfied that reducing the safeguarded areas as proposed will not affect the current operation of the line.

To have regard for future uses of the Railway, such as renewal or expansion, would go beyond the scope of the Safeguarding Directions. If the railway was to be developed or altered in the future, new safeguarding directions would be required for this purpose. HS1 Ltd is not releasing any land through this exercise which is currently in its ownership and which might serve a purpose during future renewals.

The London Sleeper Company, a project that is working to develop overnight passenger services between London and continental Europe, raised a number of points for consideration. In brief, these concerned what they considered to be a lack of provision to increase usage of the line, or to increase capacity. This is due to not safeguarding other sites for maintenance provision, not being able to expand Temple Mills Depot, and the unsuitability of the new depot in Dagenham for passenger trains. A point is made that this is the only rail link with mainland Europe.

The reduction in Safeguarding is not entirely opposed as it is considered to be a good way of releasing land for development.

Department for Transport's comment:

The intention of safeguarding land is to provide a level of protection for the rail line when under construction and in operation. It does not provide for ownership or land development for any potential increase in usage, capacity or for any other reason.

The Department, LCR and HS1 Ltd have worked closely to ensure that the current operation of line can be protected adequately with a reduction in the Safeguarded area. If an increase in maintenance facilities are required to support any future capacity increase, the current Safeguarding Directions would not apply. New Directions would likely be required to protect any land identified for new operational facilities.

The reduction in safeguarded land is not to release land for development, and it is currently possible to develop safeguarded land. The safeguarding of it means that a Local Planning Authority is required to consult with HS1Ltd and planning permission can only be granted with any requested planning conditions.

Conclusion

The Department has carefully considered the consultation responses received and will proceed with the reduction in safeguarded areas. To address the particular issues raised in responses received from Gravesham Borough Council and London Borough of Waltham Forest, the safeguarding boundaries have been slightly revised from those originally proposed in particular locations within those boroughs.