

HS2



Department
for Transport

Developer and Local Planning Authority Safeguarding Q&A

What is safeguarding?

Safeguarding is a term for an established part of the planning system that aims to protect large-scale infrastructure projects, such as roads or railways, from conflicting developments. The Secretary of State ("SoS") for Transport has decided to issue Safeguarding Directions ("Directions") for the High Speed Two (HS2) rail project and non-High Speed future rail projects. The latest update means that the following areas of land across the country are subject to Safeguarding Directions:

- The HS2 route between London and the West Midlands (known as Phase One)
- Land between the South of Kings Bromley and the Handsacre connection to the West Coast Mainline;
- From Crewe to Manchester and what was previously known as 'the Golborne Link' between Hoo Green in Cheshire and Golborne in Lancashire (Phase 2b West),
- A small area of Leeds city centre

There are two types of implemented safeguarding for the land listed above:

1. **Surface safeguarding:** where the land that is identified generally involves surface work and structures associated with the railway where the route is above the ground.
2. **Subsurface safeguarding:** usually put in place when the proposed line of the route is in a bored tunnel.

This provides a statutory mechanism by which relevant Local Planning Authorities (LPAs) must consult High Speed Two Limited ("HS2 Ltd") as the DfT's agent, on new and undecided planning applications which fall within the surface safeguarded area. HS2 Ltd and the DfT has a statutory remit to comment on such applications. The Directions also trigger statutory blight provisions, whereby qualifying owner-occupiers of land or property within the safeguarded area can serve a Blight Notice on the SoS for Transport.

What is a Blight Notice?

This is the statutory notice that owner-occupiers of properties can serve on the SoS for Transport, if eligible. By serving a Blight Notice, owner-occupiers are seeking agreement that the SoS for Transport is willing to purchase their property prior to its need.

As an LPA, who at HS2 Ltd do we consult on applications for planning permission under the Directions?

Relevant applications for planning permission should be sent by first-class post to:

The Safeguarding Planning Manager
High Speed Two (HS2) Limited
Two Snowhill
Snow Hill Queensway
Birmingham
B4 6GA

Or by email to: town.planning@hs2.org.uk

Do we have to consult HS2 Ltd on extant planning permissions as a result of the formal issuing of the Directions?

It would be helpful if LPAs could let HS2 Ltd know where they are aware of, or become aware of, any extant (undetermined) planning permissions affecting land which is now subject to the Directions issued in relation to:

- The HS2 route between London and the West Midlands (known as Phase One), issued in August 2018
- Land between the South of Kings Bromley and the Handsacre connection to the West Coast Mainline; issued in January 2024
- From Crewe to Manchester and what was previously known as 'the Golborne Link' between Hoo Green in Cheshire and Golborne in Lancashire (Phase 2b West), issued in July 2025
- A small area of Leeds city centre; issued in July 2025

If you have any queries on whether to consult HS2 Ltd on a specific planning application, or for further information, please email:

town.planning@hs2.org.uk

Or by post to:

The Safeguarding Planning Manager
High Speed Two (HS2) Limited
Two Snowhill
Snow Hill Queensway
Birmingham
B4 6GA

How has the DfT decided the safeguarded area?

The safeguarded area includes the land that the DfT currently identified as being likely to be needed to build and operate HS2, and land requirements for other railway schemes. The SoS for Transport may issue new or revised Directions at any point if circumstances change: for example, if more detailed engineering work reveals that additional land is required or that land can be removed from safeguarding.

Where can the safeguarding plans be found?

The safeguarding plans and copies of the formal Safeguarding Directions for all phases of HS2 can be found at:

<https://www.gov.uk/government/publications/hs2-safeguarding-for-developers-and-local-authorities> and:
<https://www.gov.uk/government/collections/safeguarding-information-and-maps-for-hs2>

What does the issue of the Directions mean for LPAs?

Safeguarding means that, except where a type of application for planning permission is exempt, LPAs must consult HS2 Ltd on any application for planning permission, or any undetermined application for planning permission, which falls within the safeguarded areas as listed in paragraph one of this document, HS2 Ltd must then respond within 21 days, or by an agreed date. If HS2 Ltd objects to a planning application and the LPA is minded to approve it, the LPA must first notify the SoS for Transport before approving it. The SoS for Transport then has 21 days to either notify the LPA that she has no objections to planning permission being granted, or issue a direction restricting the granting of planning permission for that application.

What does the issue of the Directions mean for compensation for land/property owners?

A property which is affected by safeguarding will be subject to the Statutory Blight and Purchase Notice provisions contained in the Town and Country Planning Act 1990. To find out more about property implications which result from safeguarding, please visit the property and compensation section of HS2 Ltd's website at the following link:

<https://www.gov.uk/claim-compensation-if-affected-by-hs2>

Will the Directions show up on searches of the local land charges register?

The Department for Transport and HS2 Ltd advise LPAs to reveal the safeguarding provisions (i.e. if land that a prospective buyer is planning to purchase is subject to the Directions) in response to optional enquiries sent by conveyancing solicitors ahead of any purchase. Enquiries submitted by conveyancing solicitors to local authorities, in the form of 'searches' of the local land register, should therefore confirm if a property is located within the adopted safeguarding zone.

What is the difference between a surface and a sub-surface interest?

The surface interest is land that the DfT considers necessary to build and/or operate the HS2 railway or other rail schemes. This is shown as a grey shading on the safeguarding maps, contained between the red boundary safeguarding limits. The area of surface interest means that HS2 Ltd must be consulted on all applications for planning permission within the area of surface interest, unless the applications are exempt.

The sub-surface interest is shown as being bounded by the red boundary safeguarding limits, as a blue shaded area. This generally refers to land where a proposed line of route is in a tunnel. In these locations, applications for planning permission are exempt from the requirement to consult HS2 Ltd, unless the proposed development would extend below ground level. For example, a development in an area within subsurface safeguarding that solely involved above-ground works (e.g. a change of use or a dormer window extension) would not require consultation with HS2 Ltd.

Why are Local Planning Authorities required to consult with HS2 in respect of planning applications where the Safeguarding Directions issued do not apply to land required for HS2?

HS2 Ltd has been instructed by DfT to assist in progressing the repurposed hybrid Bill (Millington to Manchester Piccadilly) through parliament. Given the expertise developed in areas impacted by what was Phase 2b of HS2, the DfT has also instructed HS2 Ltd's Planning Team as their agent on the remaining areas subject to Safeguarding Directions referenced in this document. As such, HS2 Ltd will continue to support Local Planning Authorities in respect of planning applications in the above areas.

Do you have any guidance available for LPAs?

Yes, guidance is available alongside the formal Safeguarding Directions at the following link: <https://www.gov.uk/government/publications/hs2-safeguarding-for-developers-and-local-authorities>

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