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London Borough of Camden
Town Hall
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London
WC1H 9JE

One Canada Square
25th Floor
Canary Wharf
London
E14 5AB

3rd February 2017

Our ref: HS2-LBC-PE-016

By Email

Dear Mr. Thuaire,

RE: App Ref 2016/7124/P – Installation of 3 additional radio equipment cabinets on pavement (56 day GPDO application) at: junction of Melton Street/Euston Square and Euston Road, London WC1H 0DS.

I refer to the above notification which has been brought to the attention of High Speed Two (HS2) Ltd and on which we have the following comments to make.

As you will be aware the Government has announced its intention to construct and operate Phase One of a high speed railway, known as High Speed Two (HS2), between London and Birmingham; and Phase Two between Birmingham and Manchester and Leeds. Powers to construct and operate HS2 are to be sought by promoting a hybrid Bill which was deposited in Parliament on 25th November 2013 and cleared its Third Reading stage in the House of Lords on 31st January 2017. Please see the dedicated hybrid Bill section on our website for further details: <http://www.hs2.org.uk/hs2-phase-one-hybrid-bill>.

You will also be aware that, on 9th July 2013, the Secretary of State for Transport announced that Safeguarding Directions had been issued for the majority of Phase One of HS2. On 24th October 2013, these directions were replaced with an updated set of directions which included two sections which had previously not been published. On 16th August 2016, these directions were again replaced with an updated set of safeguarding directions, which broadly reflect the land requirements set out in the hybrid Bill. Further details, guidance and maps are available at: <http://www.hs2.org.uk/safeguarding>.

In this case it is acknowledged that the proposed works are minor in nature and that the existing site and installation has been established for some time. However, the proposed radio equipment cabins are located entirely within the limits of land subject to the formal HS2 Phase One Safeguarding Directions and within the Limits of Land to be Acquired or Used (LLAU) for construction of the railway as identified on the Plans deposited in Parliament on 25th November 2013.

Notwithstanding the above, the applicant's supporting Site Specific Information document makes no reference to the HS2 project. However, HS2 Ltd construction and delivery teams have been consulted on the proposals and advise that the proposed installation falls within a Utilities Construction Zone (UCZ), which is congested with major utility diversionary works and therefore any existing assets/plant in this area will need to be diverted or removed.

According to the current construction programme, HS2 utility works and enabling structures for the proposed subway that will link the new high speed Euston station to Euston Square London Underground

station are scheduled to commence in that location in Q3 or Q4 this year. See attached Hybrid Bill Utilities diversionary works plan no. C220-ARP-UT-DPL-01A-640020 for further details.

HS2 Ltd acknowledges that as this is not an application for planning permission the formal Safeguarding Direction is not engaged and there is no legal requirement on the Council to formally consult HS2 Ltd on the prior approval application. Furthermore, any representations that HS2 Ltd does make on the prior approval application, do not bind the Council or cause the application to be referred to the Secretary of State for Transport in the way that they would if it had been a planning application.

However, HS2 Ltd also recognises that telecommunications development falling within the category of permitted development under the GPDO must follow the prior approval procedure, under which the Council is given the opportunity to say whether it wishes to approve details of the 'siting' and 'appearance' of the proposed installation and no other factors can be considered by the Council for this type of application. Factors concerning 'siting' may involve, height of the site in relation to surrounding land, topography of the site and vegetation, openness and visibility of the site, designated areas, (my emphasis) the site in relation to existing masts, structures or buildings or proximity to residential property.

Accordingly the Council and the applicant should be aware of the direct clash between the applicant's proposals and the HS2 planned works outlined above in advance of determining the application. Furthermore, whilst the HS2 construction programme is subject to change, (as the Enabling Works Contractor has only recently begun mobilising for the detailed design of the utilities and enabling structures), it is clear that the proposed telecommunications cabins will not be able to co-exist with planned HS2 works at its current location and would therefore need to be relocated in the near future.

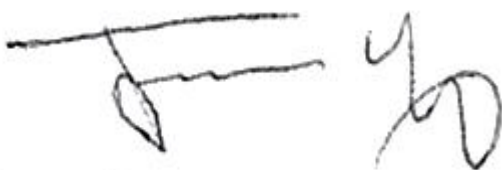
For the reasons set out above HS2 Ltd cannot support the permanent siting of the proposals in their current location and recommends that the London Borough of Camden refuses to approve consent for them. Whilst the Council are not bound by the obligations set out in the Safeguarding Direction when determining the application HS2 Ltd suggests the following wording for a reason for refusal in the event it is minded to do so:

REASON FOR REFUSAL:

'The proposed development would conflict with the HS2 safeguarded route as published, and would impact on the ability to build and operate HS2 and the Government's objective of delivering HS2, which is an infrastructure project of national importance. The proposal is therefore contrary to Government Guidance contained in the National Planning Policy Framework (NPPF) and the Safeguarding Directions for development affecting the route and associated works for the High Speed Two rail project – Phase One.'

HS2 Ltd would be happy to discuss the concerns raised in this response with the Council and/or the developer in person and if such a meeting would be beneficial then please contact me at: Town.Planning@Hs2.org.uk.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J Fox', written over a horizontal line.

James Fox
Safeguarding Planning Manager, HS2 Ltd

Enc. Euston Combined Utility Drawing no. C220-ARP-UT-DPL-01A-640020