

EUSTON AREA PLAN EXAMINATION 1ST AND 2ND JULY 2014

HIGH SPEED TWO (HS2) LTD STATEMENT

MATTER 4 – EUSTON STATION

1. Subject to the changes agreed with Camden Council and set out in the HS2 Ltd/Camden Council Statement of Common Ground HS2 Ltd is not seeking any changes to the EAP related to the matters set out below. The intent of this statement is to assist the Inspector with his consideration of the Euston Area Plan (EAP). In light of the questions asked by the Inspector this statement relates solely to the station and associated operational development which will be authorised by the Bill. It does not consider non-operational development. Any non-operational development that may be built over the operational railway structures would be authorised through the normal Town and Country Planning Act process.

How will the Plan deliver its stated vision of a world class transport interchange at Euston

Station in the context of the various proposals contained within the Plan (particularly Strategic Principle EAP3 and Development Principle EAP1), the HS2 Bill and the planning regime for the construction of HS2?

2. The High Speed Rail (London - West Midlands) Bill (henceforth 'the Bill') seeks the powers necessary to construct and operate phase 1 of High Speed Two (HS2). The Bill will, when enacted, grant deemed planning permission for the works authorised by it subject to provisions of clause 19. The planning authority for HS2 is therefore Parliament. Royal Assent for the HS2 Bill will establish the principle of the development and grant deemed planning permission within the relevant Bill limits of deviation or limits of land to be acquired and used.

3. The deemed planning permission granted by the Bill will be subject to the conditions imposed on it by Schedule 16 to the Bill, 'Conditions of Deemed Planning Permission'¹. Paragraph 2 of Schedule 16 requires that plans and specifications for buildings will be subject to approval by the relevant planning authority, in the case of Euston Station that being Camden Council. The Bill provides that, where a local planning authority is required to consider a request for the approval of plans and specifications for building works it may only refuse to approve those details:
- (a) (in a case where the local planning authority has opted to be a qualifying authority under Part 2 of the Schedule) on the grounds set out in Paragraph 2(5) of the Schedule ; or
 - (b) (where it has not opted to be a qualifying authority) on the grounds set out in Paragraph 2(6) of the Schedule

4. The grounds in paragraph 2(5) are

If the relevant planning authority is a qualifying authority, it may only refuse to approve plans or specifications for the purposes of this paragraph on the ground that—

(a) the design or external appearance of the building works ought to be modified—

(i) to preserve the local environment or local amenity,

(ii) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or

(iii) to preserve a site of archaeological or historic interest or nature conservation value, and is reasonably capable of being so modified, or

(b) the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

¹ See HS2 Information Paper B1: THE MAIN PROVISIONS OF THE PLANNING REGIME (http://assets.hs2.org.uk/sites/default/files/hb_pdf/B1-Main%20Provisions%20of%20the%20Planning.pdf) and HS2 Information Paper B2: LIMITS ON PARLIAMENTARY PLANS (http://assets.hs2.org.uk/sites/default/files/hb_pdf/B2-Limits%20on%20Parliamentary%20Plans.pdf)

5. The grounds in paragraph 2(6) are:

If the relevant planning authority is not a qualifying authority, it may only refuse to approve plans or specifications for the purposes of this paragraph on the ground that—

(a) the design or external appearance of the building works ought to be modified to preserve the local environment or local amenity and is reasonably capable of being so modified, or

(b) the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

6. The policy in the EAP in general, and in Strategic Principle EAP₃ and Development Principle EAP₁ in particular, will be material to the consideration of requests for approval insofar as they relate to the matter for approval and set out in the relevant paragraph of the Schedule.
7. It is important to bear in mind that the HS2 Bill when enacted will not approve a design for Euston Station. All that is established is the principle of the development, constrained by the relevant Bill limits and other relevant controls. Detailed design will be undertaken in the future. Therefore, what the EAP can most usefully do at this stage in the development of the station is set the principles and aspirations of planning policy. To set detailed guidance on the design and form of the station at this stage would be neither practicable nor useful at this stage of the project.
8. HS2 Ltd believes that the EAP will assist with the delivery of a world class interchange at Euston by providing an appropriate level of guidance for those developing the station design. Development Principle EAP 1 and Strategic Principle EAP 2 provide clear policy that will be material to the development management process for requests for approval under Schedule 16 to the HS2 Bill insofar as it relates to the ground in the relevant paragraph.

9. HS2 Ltd supports the flexible approach in the EAP to station design which is not fixed to a single station design. The current HS2 scheme for Euston Station is that for which powers are being sought in the Bill and which was assessed in the HS2 Environmental Statement. However, HS2 Ltd is now undertaking work in response to an instruction from the Department of Transport of the 11th April 2014². This instructed HS2 Ltd, working with Network Rail to explore a “*more comprehensive solution at Euston, working with the rail industry and the local community, with the aim of reaching a decision that would allow introduction of an additional provision to the hybrid Bill by December 2014.*” Should this work result in a change to the proposals at Euston the approach taken in the EAP means that it would still provide appropriate planning policy. As the decision on the overall station scheme for Euston is a decision made by Parliament rather than Camden Council this approach is supported by HS2 Ltd.

Does the Plan provide sufficient guidance for the enhancement of Bus facilities at Euston Station?

10. Paragraphs 2 to 5 above apply equally to this question. The Bill will, when enacted, provide the powers necessary to construct a bus station at Euston Station within the relevant Bill limits. The design of the bus station and its location within limits will require the approval of Camden under the planning regime established by Schedule 16 to the Bill.
11. The guidance in section 4.1 of the EAP provides sufficient guidance to those who will be undertaking the detailed design of the bus station. The EAP will be material to the development management process for requests for approval under Schedule 16 to the Bill insofar as it relates to the matter for approval and in the relevant paragraph.

² Remit letter from David Prout to Alison Munro 'Higgins review 'HS2 Plus'
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/305559/remit-letter-hs2-hs1-link.pdf

Does the Plan provide sufficient guidance for the pedestrian and cycle routes to/from Euston Station and within the Station environs?

12. HS2 Ltd believes that guidance is sufficiently clear. Again, paragraphs 2 to 5 above are relevant to this this. Strategic Principle EAP 2 and 3 provide clear guidance and will be material to the development management process for requests for approval under Schedule 16 to the Bill insofar as it relates to the ground in the relevant paragraph.

13. The question could be asked whether a greater degree of guidance could productively be given at this stage? HS2 Ltd considers that, at this stage, the answer is no. As set out above all the Bill will, when enacted, establish is the principle of development with the relevant Bill limits. Detailed design of the scheme has not yet begun and it would not be practicable to provide more detailed guidance in advance of that as the detailed operational and structural requirements have not yet been fully identified.

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6 June 2014