

Consultation on safeguarding revision of the Chelsea Hackney Line - outcome report

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Forward

The Chelsea - Hackney line scheme is planned to link the northern Epping branch of the Central line to the southern Wimbledon branch of the District line with a new build tunnel across central London. Following a public consultation exercise in 2007 the Government has now published a revised safeguarding direction and accompanying plans.

Executive Summary

Overall responsibility for the line rests with Transport for London, but its development is undertaken by a team in Cross London Rail Links Limited (CLRL), a company jointly owned by the Department and Transport for London that was primarily established to promote the Crossrail scheme.

In 1991 the Department safeguarded the proposed route through central London. Safeguarding is a legal process which enables the Secretary of State to protect the proposed route of the line from any development that could compromise the ability to construct the scheme or increase its potential costs, particularly the tunnel route in central London but also depot sites, stations, sidings and ventilation and access shafts.

The previous Chelsea - Hackney line safeguarding had a number of issues that needed to be addressed, including its age, and changes that had occurred to the scheme itself and to the areas which form the proposed route across London.

Transport for London and CLRL proposed to the Department in 2006 that the existing safeguarding be withdrawn and a new version issued. This 'refreshment' would allow the necessary changes to be incorporated, while also re-affirming the long-term intention to build the scheme.

In April 2007 the Department undertook a consultation exercise on the proposed refreshment which closed in July 2007. The Department, together with CLRL and Transport for London, have fully considered the issues raised by the responses to the consultation, and where necessary undertaken further discussions with the respondents.

The Secretary of State has now issued the revised safeguarding and revoked the previous 1991 version.

Introduction

The Chelsea - Hackney line is a proposed underground railway linking the Epping branch of the Central line to the Wimbledon branch of the District line through new tunnels across central London. It is a long-term plan, with completion unlikely before 2025. Transport for London has overall responsibility for the scheme but its development is administered by Cross London Rail Links (CLRL), a company jointly owned by the Department and Transport for London.

In November 1991 the proposed alignment was the subject of a safeguarding direction issued by the Secretary of State (for Transport) to local planning authorities. By 2006 the safeguarding direction and the accompanying plans were 15 years old and out of date. This is because of new development and

piecemeal changes that have been made to the scheme, and its surroundings, since 1991.

In April 2007 the Department published proposals to refresh the safeguarding. This refreshment would allow the necessary changes to be incorporated, while also reaffirming the long-term intention to build the scheme.

The Department has now considered the responses to this consultation, and a new safeguarding direction for the Chelsea - Hackney line has been issued by the Secretary of State. This refreshment has not changed the basic route of the scheme, but it takes a more appropriate alignment that reflects the current proposals.

Safeguarding and what it means

The development of large scale infrastructure, such as roads or railways, takes a considerable length of time. To protect the proposed alignment from conflicting development the Secretary of State can issue a direction under Articles 10(3) 14(1) and 27 of the Town and Country Planning (General Development Procedure) Order 1995.

The Secretary of State issues the safeguarding to local planning authorities in the form of the direction, plans and explanatory notes. The direction requires the local planning authorities to consult TfL (through its agent CLRL) when determining planning applications for land within the limits shown on the plans attached to the direction.

The direction also identifies the proposer of the project, who will then administer the safeguarding and respond to any consultation. In the case of the Chelsea - Hackney line the direction was originally issued on behalf of London Underground Limited, but it was transferred to Transport for London following implementation of the Greater London Authority Act 1999. The day to day management of the Chelsea-Hackney line is undertaken by CLRL, who act on behalf of Transport for London on this matter.

If CLRL consider that any proposed development upon which they have been consulted by the local planning authority compromises the Chelsea - Hackney line they can recommend that planning consent should be refused, or that conditions should be placed on any permission that is granted. The planning authority is not bound by the recommendations made by CLRL, but if it does not accede to any request made by CLRL it must give the Secretary of State 21 days notice of its intentions.

However, it is not the intention of the Department, Transport for London or CLRL to unnecessarily prevent development along the route of the scheme or cause blight. Where land is safeguarded, CLRL will seek to reach agreement with any developer that will maximise the potential of any proposed development, but not unduly prejudice the future option to build the Chelsea - Hackney line. As noted below, a number of such arrangements have been reached since 1991 and the need to incorporate the subsequent proposals and amendments to the scheme has in part led to this refreshment process.

Reasons for updating the safeguarding

The main reasons identified in the 2007 consultation for updating the safeguarding direction for the Chelsea - Hackney line were:

Development in Transport for London 's Plans

There have been numerous changes to the railway network in London since the original safeguarding direction was made in 1991 and more infrastructure developments are being planned. The Chelsea - Hackney scheme has been reviewed in light of these developments to safeguard the most appropriate alignment.

Agreements with Developers and Local Authorities

Over the years London Underground and Transport for London have entered agreements with both developers and local planning authorities to avoid causing unnecessary blight. In doing this they have agreed to allow development within the safeguarding limits, and in some instances developers have amended their plans to allow the Chelsea - Hackney line works to be added to their development at a later date. These agreements were not reflected in the safeguarding for the line and the direction has been updated to reflect them.

De - facto changes

There have been a few instances where developments have occurred without comment being made by London Underground or CLRL. In some instances this has resulted in the developments compromising the 1991 safeguarding direction for the Chelsea - Hackney line.

Revised Operational Specification

The original 1991 scheme assumed Underground tube operation, i.e. a specification similar to the Victoria line. There have been various studies carried out since the safeguarding which indicate that it is probable that longer and larger trains would be more appropriate, and the safeguarding has been updated to allow the operation of this larger rolling stock.

External influences and major projects

In addition to the above, there have been external influences which have affected the scheme. Recent examples include:

- The 2012 London Olympic and Paralympic Games, and the need to relinquish the proposed depot at Thornton Fields, Stratford and find an alternative location for these facilities;
- The proposed sale and redevelopment of Chelsea Barracks.

The consultation process

The process of refreshing the safeguarding of the Chelsea - Hackney line has taken around $2\hat{A}\frac{1}{2}$ years to complete and has involved a number of stages:

- October to November 2005; Faced with difficulties in maintaining the existing safeguarding, the CLRL Board agrees a proposal to update the existing Chelsea - Hackney safeguarding direction.
 Approval is obtained from Transport for London, and CLRL informally approach the Department to discuss the issue;
- May to September 2006; Transport for London, CLRL and the Department hold a series of meetings
 to discuss and agree options, strategy and the process for refreshing the safeguarding. On 19 th
 September 2006 the Department formally requests CLRL to update the safeguarding;
- Autumn 2006; CLRL prepare a revised safeguarding direction and plans. Transport for London formally requests that the Department undertakes to revise the safeguarding direction on 18 th October 2006;
- 8 th December 2006; CLRL gives a presentation to local planning authorities on the proposals and process that will be adopted;
- 3 rd January 2007; CLRL consults with local planning authorities on the proposals to revise the safeguarding of the scheme, requesting responses within four weeks;
- February to March 2007; CLRL considers the responses from the local planning authorities and amends the draft safeguarding direction and plans as appropriate;
- 5 th April 2007; the Department issues a consultation document on proposals to refresh the safeguarding. The consultation is open for a 12 week period, closing on 6 th July;
- July 2007 to May 2008; The Department, Transport for London and CLRL consider and analyse all the responses received;
- 19 th November 2007; CLRL writes to all those who had made substantive responses and provides detailed comments and observations. The recipients are invited to provide further observations by 21 st December 2007, and where necessary additional correspondence was issued and meetings were held:
- 21 st May 2008; Transport for London confirms that it has no objection to the safeguarding direction being refreshed;
- 18 th June 2008; The Secretary of State for Transport approves the revised safeguarding direction for the Chelsea - Hackney line, which comes into force on 30 th June 2008, and revokes the existing safeguarding.

Organisations and individuals who responded or enquired about the consultation

Creekside Forum, St Nicholas Church

DfT Rail (South West Trains)

London TravelWatch

Bircham Dyson Bell LLP
Network Rail
Mathiur Rahman
Victoria and Albert Museum
Richard Revess
David Vernon
Union Railways (North) Limited
Barney Reynolds
Dr D J van Rest
GMS Estates Limited
The British Land Company plc
Land Securities
British Telecom
Sweltrac
Windmill Developments Limited
Catherine Berry
Wandsworth Council
Royal Mail Group
Project Blue (Guernsey) Limited
Westminster City Council
Thrombosis Research Institute & National Heart and Lung Institute Foundation
Defence Estates.
London Fire & Emergency Planning Authority
Grosvenor

Metcom Futures

Royal Brompton & Harefield NHS Trust

Hammerson PLC

Athos (Manresa Road) Limited

London Borough of Camden

London Borough of Merton

London Borough of Hackney

London Borough of Hammersmith & Fulham

London Councils

Royal Borough of Kensington and Chelsea

Benjamin Farnsworth

Islington Council

City of London

Passenger Focus

Olympic Delivery Authority

Summary of responses, issues and outcomes

In total 42 organisations responded or made enquires with the Department regarding the proposals. A summary of their observations is provided by annex A, but overall:

- Two responses expressed support for the scheme and/or the revision of the safeguarding;
- Ten expressed general support for the scheme and/or the revision of the safeguarding, but raised concerns or objections on specific points;
- Eight neither objected or supported the scheme, but raised specific issues in relation to the safeguarding;
- Sixteen expressed objections towards the scheme, the revision of the safeguarding and/or specific points of the proposals;
- Six made non specific responses (i.e. asked for clarification on the proposals or for further details).

Full details of all the responses is provided by annex B.

The responses covered a very wide range of issues, however there were a number of common themes and issues and these have been identified below.

Objections to the proposal, or principle of safeguarding

Delay until strategic review is undertaken or review should be brought forward

Scheme is too uncertain

Revise main route options

Additional Stations

Sloane Square Station

Step free access

South West Trains Wimbledon Depot

Blights land or property and delays redevelopment, areas of surface interest (see also annex D)

Impact on the re-development of Victoria Station and surrounding area

Impact on the re-development of Victoria Coach Station and surrounding area

Chelsea Barracks

King's Road Station and proposed re-development in the area

Requirement for a planning authority to refer applications which include operations less than 3 metres below surface level

Safeguarding of land for temporary construction purposes

Battersea Park

Human Rights issues (Sporrong and Lonnroth v Sweden)

Adequacy of the consultation

Support the scheme, proposals

Other issues and responses

The responses on each of these issues, and the outcome is provided in annex C.

The Refreshed Safeguarding Route

The new safeguarding direction came into force on 30 th June 2008, and the following documents can be viewed at http://www.crossrail.co.uk/

- Safeguarding Direction
- Guidance and explanatory notes
- Schedule of major changes
- Infrastructure schedule

The Key Changes

The major changes from the 1991 Safeguarding Direction are:

The route: South

South of Parsons Green there are few changes. The main change here is the safeguarding of the whole of the existing South West Trains Wimbledon Depot as a proposed depot for the Chelsea - Hackney line.

The route: Central west

The route between the portal at Parsons Green and Victoria has the most significant route changes.

The Department's consultation proposed that the alignment via Sloane Square would be dropped and that the line would be moved further south. However after representations from the Royal Borough of Kensington and Chelsea the alignment via Sloane Square has been retained, along with the more southerly route. A decision on the final alignment will be made within the strategic review of the scheme which is currently expected to begin in Autumn 2008.

In the 1991 safeguarding there was a branch south of Victoria to allow the reversing and stabling of trains, and access to a riverside construction site. This has now been taken by the Grosvenor Waterside Development, through mutual agreement between London Underground and the developer. The new safeguarding replaces this branch with a new one under the Chelsea Barracks site and the Thames, with a tunnelling work site in Battersea Park.

The route: Central

Through the central area, between Victoria and Hackney, there are no changes to the basic route.

The Route: North

The major change to the route in the north is the replacement of the depot at Thornton Fields with the facilities at Wimbledon.

The next steps

Construction of the scheme

There currently no plans for the commencement of construction of the Chelsea-Hackney line in the medium-term future. Transport for London's publication Transport 2025 - Transport vision for a growing world city stated the following on the scheme:

T2025 has therefore identified two further long-term rail options, namely Crossrail 2 [the Chelsea-Hackney line] and segregation of Northern line services. These were included in the modelling of the T2025 programme scenario It would be logical to progress major tunnelling work on Crossrail 2 after Crossrail.

The indicative programme included in Transport 2025 provides the Chelsea-Hackney line with a construction period between 2019 and 2025.

Strategic review of the scheme and further amendment of the safeguarding

In mind of the long time scale between the original safeguarding in 1991, this current revision and the likely construction date Transport for London are currently proposing to carry out a strategic review of the scheme which is expected to commence in Autumn 2008. This will assess, among other issues:

- options for varying the route to the south of central London;
- take into further consideration the changes in London's transport infrastructure since the scheme was developed in 1989-91, and the recent Transport 2025 studies;
- address those issues raised in the responses to this consultation that need further detailed and lengthy consideration, including alternative alignments and station locations.

This strategic review is expected to take around 5 years to complete, and is likely to require a further update of the safeguarding direction.

Further information

Any general inquiries regarding the safeguarding of the Chelsea - Hackney line should be directed to Cross London Rail Link's helpline at 0845 6023813.

Annexes

Annex A - Summary of responses and enquiries

Support for revision of safeguarding or scheme in general

- 19. Catherine Berry: Improves links from Homerton to West End and City which will regenerate the area.
- 40. City of London: Increases rail capacity; relief for some overcrowded routes and open up new routes.

General support, but raised concerns or objections to specific points

- 16. British Telecom: Supports scheme but impact of proposals on operations and infrastructure.
- 17. Sweltrac: Welcomes proposal; comprehensive review immediately; route change to Battersea/Chelsea & Clapham Junction; removal of Sloane Square; Wimbledon Depot; Battersea Park.
- 20. Wandsworth Council: Support scheme; route should be reconsidered as per comprehensive review; use of Battersea Park and Wimbledon depot; long term review brought forward.
- 23. Westminster City Council: Welcome but overdue; but still lengthy timescales that conflicts with development policies for central London and causes blight and delay. In particular, the sidings and step-plate junction have impact on Chelsea barracks redevelopment; impact on Victoria Coach and Rail Stations; including redevelopment; Belgravia Police Station; Ham Yard and Soho & Tottenham Court Road areas.
- 32. London Borough of Camden: Support scheme; support deletion of Tavistock Square but now safeguards Gordon Square within the Bloomsbury Conservation area; full review as soon as possible to bring greater certainty and minimise impact on these.
- 33. London Borough of Merton: Supports scheme; consultation should have informed landowners affected by new safeguarding; should not review route to Wimbledon but role and functions e.g. links to national rail; impact on Wimbledon Station redevelopment and industrial areas & residents.
- 34. London Borough of Hackney: Support scheme & strategic need; concern at impact on Kingsland Conservation Area and listed buildings; need for separate pedestrian link to Dalston Town Centre; possibly relocation of Dalston Junction station; support additional facilities on Kingsland High Street; impact of Hackney Interchange on proposals; safeguarding of Homerton library.
- 36. London Councils: Hope represents commitment to the scheme and benefits for London transport and economy; full review at earliest opportunity and questions need for refreshment; questions decision to include Sloane Square at this stage with no justification.
- 37. Royal Borough of Kensington and Chelsea: Pleased at new interest in scheme, premature when comprehensive review is planned and should be brought forward; route options need to be considered; Sloane Square Station removal is unlawful as not discussed in consultation, main reason is to ease the alignment of Victoria Station approach.
- 39. Islington Council: Support scheme provided two stations in Islington are built. Object to inclusion of certain properties in the areas of surface interest, but reassured by further advice from CLRL.

No objection or support, but raised specific issues

- 2. DfT Rail (South West Trains): Impact of Wimbledon Depot on South West Trains.
- 3. London Travelwatch: Removal of Sloane Square; step-free access and additional stations.
- 5. Network Rail: Appropriate balance between safeguarding and development; redevelopment of Victoria Station area; Wimbledon Depot.
- 8. Richard Revess: Additional stations at Chelsea & Westminster Hospital and Chelsea Bridge Road; Sloane Square.
- 10. Union Railways (North) Limited: Overlap with their existing safeguarding for CTRL; review of planning legislation.
- 11. Barney Reynolds: Impact on property.
- 12. Dr D J van Rest: Design of interchanges; links to Victoria Coach Station; alternative route to Clapham, with additional stations at other locations.
- 42. Olympic Delivery Authority: Satisfied that the refreshed Safeguarding Directions and Consultation Drawings raise no fresh concerns in respect of the Olympic Park.

Raised specific objections, do not support the proposal

- 13. GMS Estates Limited: Safeguarding in place for 16 years with no prospect of the scheme; disproportionate infringement of right to enjoy property; safeguarding surface interest for temporary use is disproportionate; unjustified and causes blight; prospect of comprehensive review reduces justification for new areas of blight; cancel existing safeguarding and do not implement new one until scheme is likely; restore less than 3m exemption; remove specific properties from the area of surface interest; drafting errors.
- 14. The British Land Company plc: Safeguarding in place for 16 years with no prospect of the scheme; disproportionate infringement of right to enjoy property; safeguarding surface interest for temporary use is disproportionate; unjustified and causes blight; prospect of comprehensive review reduces justification for new areas of blight; cancel existing safeguarding and do not implement new one until scheme is likely; restore less than 3m exemption; remove specific properties from the area of surface interest; drafting errors.
- 15. Land Securities: Uncertainty of scheme and no programme; unnecessary and inappropriate to extend safeguarding; impact on development and land values; Victoria Station.
- 18. Windmill Developments Ltd: Request confirmation on safeguarding impact on property that has planning permission.
- 21. Royal Mail Group: Safeguarding is premature and unnecessary, unreasonable and disproportionate to safeguard properties, especially for temporary work; surface areas should be safeguarded only where permanent works proposed; has statutory duties to deliver mail; scheme uncertain and no firm proposals; comprehensive review only should extend safeguarding, especially temporary worksites; already blighted for 16 years and proposal could mean another 20 which is unnecessary and reduces potential redevelopment and conflicts with the London Plan; requests removal of properties from safeguarding,

especially the West End Delivery Office; relax 3 metre rule.

- 22. Project Blue (Guernsey) Limited: Impact on Chelsea barracks redevelopment major residential development; has been inadequate and premature consultation; has serious cost implications; lacks proportionality; especially the sidings which should be deleted but also ventilation shafts.
- 24. Thrombosis Research Institute and National Heart and Long Institute Foundation: Objection to inclusion of property within safeguarding and as an area of surface interest.
- 25 Defence Estates: Impact on Chelsea barracks redevelopment serious blight on major residential development; leads to failure to implement Mayor/Council's plans; uncertainty of proposals; insufficient technical information to assess regarding the southern sidings tunnel that should be deleted; western alignment needs attention but can be addressed.
- 26. London Fire & Emergency Planning Authority: Object to extending the safeguarding and area of surface interest to include Chelsea Fire Station; long delay and uncertainty over scheme; questions need for station on King's Road; impact on redevelopment plans and improvements to existing facilities.
- 27. Grosvenor: Not opposed in principle but scheme too far away, existing safeguarding 16 years old and no prospect now for another 20 years; blights properties for development including Victoria Coach Station; Human Rights issues and disproportionate use of powers for temporary work sites; includes unsuitable properties at surface level with no explanation, including Grade II Grosvenor Thistle Hotel; should be delayed until further review completed; should not remove 3 metre exemption, revised plans should be generally available and have proper explanation.
- 28. Metcom Futures: Object to extending the safeguarding in Homerton and impact on 2 redevelopment proposals; further discussion welcome with CLRL to resolve impact.
- 29. Royal Brompton and Harefield NHS Trust: Uncertainty over scheme and long delay until construction; object to extending the safeguarding and area of surface interest to include Royal Brompton Hospital and impact on redevelopment plans and improvements to existing facilities.
- 30. Hammerson plc: Safeguarding in place for 16 years with no prospect of the scheme; disproportionate infringement of right to enjoy property; safeguarding surface interest for temporary use is disproportionate, unjustified and causes blight; prospect of comprehensive review reduces justification for new areas of blight; cancel existing safeguarding and do not implement new one until scheme is likely; restore less than 3m exemption; remove specific properties from the area of surface interest; drafting errors.
- 31. Athos (Manresa Road) Limited: Safeguarding 16 years old and no prospect of scheme; human rights issue and disproportionate to safeguard for temporary worksites; comprehensive review; cancel existing safeguarding and do not implement new one until scheme is likely; restore less than 3m exemption; remove specific property from safeguarding or at least the area of surface interest.
- 35. London Borough of Hammersmith & Fulham: Do not support refreshment which causes blight; want strategic review and revised route in their borough.

38. Benjamin Farnsworth: Impact of area of surface interest on individual property.

Non - specific responses

- 1. Creekside Forum, St Nicholas Church: Requested paper copies of the documents.
- 4. Bircham Dyson Bell LLP: Technical problems with DfT's website.
- 6. Mathiur Rathman: Interpretation of plans.
- 7. Victoria and Albert Museum: Additional information.
- 9. David Vernon: Issues about the safeguarding process.
- 41. Passenger Focus: Check whether London TravelWatch consulted.

London Transport Division

Department for Transport

18th June 2008

Annex B - Details of consultation responses

Annex B - Details of consultation responses (PDF, 263KB)

Annex C - Main issues and outcomes

Annex C - Main issues and outcomes (PDF, 242KB)

Annex D - Development and surface interest concerns

Annex D - Development and surface interest concerns (PDF, 125KB)

London Transport Division

Department for Transport 18th June 2008