Landscaping issues

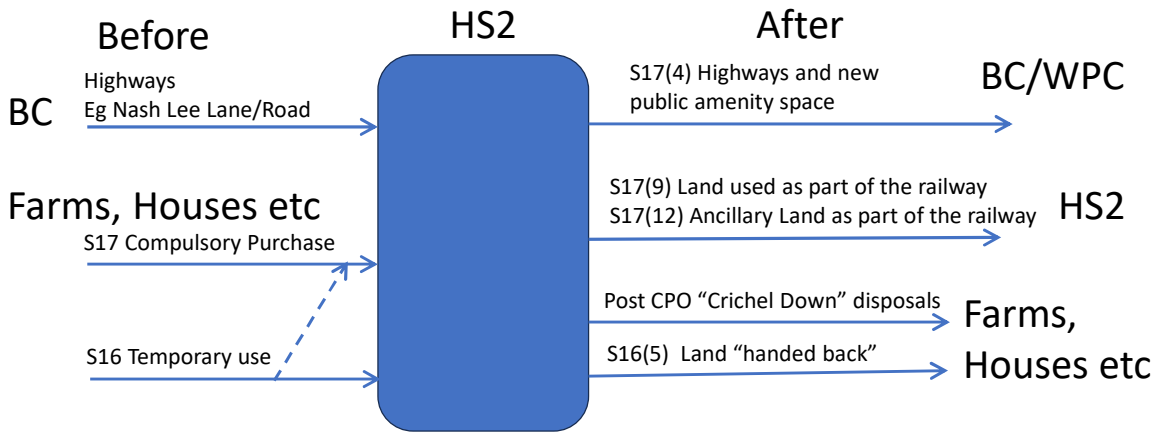
Wendover HS2

26th August '25

Summary

- HS2 pathways
- Five categories of land
- BC Planning roles
- Potential WPC/WHS2 involvement

HS2 land restoration pathways



- Looks like five different reuse scenarios

Five land categories and examples

1. Highways and public amenities
   - Bacombe Lane street lighting, and Ellesborough Rd cottages site
2. Railway Brought into Use
   - Small Dean Embankments, North Cutting,
3. Ancillary Land retained
   - WGT North Portal Building access
4. Ancillary Land to be disposed of
   - WGT North Portal Compound & Concrete works
   - Ellesborough/Wellwick stockpile sites
5. Land to be handed back
   - Getley field between Ellesborough Road and Bacombe Lane

BC role in the Five land categories

1. Highways and public amenities
   - S17(4) Highways authority
2. Railway Brought into Use
   - S17(7/8/9) Landscaping & Noise mitigation
3. Ancillary Land retained
   - S17(12) restoration
4. Ancillary Land to be disposed of
   - S17(12) plus TCPA and Chilterns National Landscape?
5. Land to be handed back
   - S16(5) approvals

Potential WPC/WHS2 tasks

- Review overall Landscaping designs
  - Expect S17(7/8), S17(12) and S16(5) indicative submissions as part of HS2 Programme Reset
  - Fit with HS2 Chilterns DDP and Wendover Local Plans
- Identify land that will be disposed of
  - Parcels with S17(12) potential for development
- Establish standards for restoration and Aftercare
  - In time for future S17(9) BIU Landscaping & Noise mitigation
  - Joint working with CCB/CNL, TCS, etc

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Backup and Legislation

Schedule 17 Part 1 Paras 7 and 8

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7 (2) This paragraph applies to development to the extent that it consists of—

(a) waste and soil disposal, or

(b) the excavation of bulk materials from borrow pits.

8 (1) If the relevant planning authority is a qualifying authority, development to which paragraph 7 applies may not be begun unless the authority has approved a scheme for the restoration of the land on which the development is to be carried out.

8 (3) The relevant planning authority may only refuse to approve, or impose conditions on the approval of, a scheme for the purposes of this paragraph on the ground that the scheme ought to be modified, and is reasonably capable of being modified.

8 (4) The nominated undertaker must carry out a scheme approved for the purposes of this paragraph once it has completed its use of the land to which the scheme relates for the purpose of carrying out the development to which paragraph 7 applies.

8 (5) In sub-paragraph (1), the reference to restoration includes a reference to restoration in the longer term; and, accordingly, a scheme for the restoration of land may include provision about aftercare.

Schedule 17 Part 1 Para 9 BIU

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(1) If the relevant planning authority is a qualifying authority, no work to which this paragraph applies may be brought into use without the approval of that authority.

(2) This paragraph applies to—

(a) any scheduled work, except to the extent that the work is underground, and

(b) any depot constructed, in exercise of the powers conferred under this Act, for use for or in connection with the maintenance of railway vehicles or track, whether or not constructed for use also for other purpose

(4) The relevant planning authority must grant approval for the purposes of this paragraph if—

(a) it considers that there are no reasonably practicable measures which need to be taken for the purpose of mitigating the effect of the work or its operation on the local environment or local amenity, or

(b) it has approved, at the request of the nominated undertaker, a scheme consisting of provision with respect to the taking of measures for that purpose.

(5) The relevant planning authority may not refuse to approve, or impose conditions on the approval of, a scheme submitted for the purposes of sub-paragraph (4)(b) unless it is satisfied that it is expedient to do so on the ground that the scheme ought to be modified—

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

(b) to preserve a site of archaeological or historic interest, or

(c) in the interests of nature conservation,

and that the scheme is reasonably capable of being so modified.

Schedule 17 Part 1 Para 12

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(1) The nominated undertaker must, after discontinuation of the use of any site for carrying out operations ancillary to the construction of any of the scheduled works, restore the site in accordance with a scheme agreed with the relevant planning authority.

(3) For the purposes of sub-paragraph (1) the nominated undertaker must, within four months of the discontinuation of the use, submit a proposed scheme to the relevant planning authority.

(4) If—

(a) the nominated undertaker fails to submit a proposed scheme in accordance with sub-paragraph (3), or

(b) the nominated undertaker submits a proposed scheme in accordance with sub-paragraph (3) but no scheme is agreed for the purposes of sub- paragraph (1) before the end of the relevant period, the scheme for the purposes of sub-paragraph (1) is to be such as the appropriate Ministers may determine after consulting the nominated undertaker and the relevant planning authority.

Schedule 17 Part 1 Para 12

Wendover HS2 Mitigation Action Group

(5) In sub-paragraph (4)(b) ""the relevant period"" means—

(a) eight weeks beginning with the date on which the proposed scheme is submitted, or

(b) such longer period as the nominated undertaker and the relevant planning authority may agree.

(6) A scheme agreed or determined for the purposes of sub-paragraph (1) may reserve particulars for subsequent agreement between the nominated undertaker and the relevant planning authority.

(7) Where a particular reserved under sub-paragraph (6) is not agreed—

(a) by the time specified by or determined in accordance with the scheme, or

(b) by such later time as the nominated undertaker and the relevant planning authority may agree, that particular is to be determined by the appropriate Ministers after consulting the nominated undertaker and the authority.

(9) Sub-paragraph (1) does not apply to a site—

(a) to the extent that the site consists of land to which a scheme under paragraph 8 (waste or spoil etc) applies, or

(b) in relation to which the nominated undertaker is subject to an obligation under paragraph 5(1) of Schedule 16 (obligation to put land into such condition as an agreed scheme provides, before giving up possession of the land).

The nominated undertaker must, after discontinuation of the use of any site for carrying out operations

Schedule 16 Part 1 Para 5 hand back

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(1) Before giving up possession of land of which possession has been taken under paragraph 1(1) or (2), the nominated undertaker must, in accordance with a scheme agreed with the owners of the land and the relevant planning authority, put the land into such condition as the scheme may provide.

(2) If no scheme has been agreed for the purposes of this paragraph within 6 months of the date of completion mentioned in paragraph 4(2) in relation to the land, the scheme is to be such as may be determined by the appropriate Ministers after consulting the nominated undertaker, the owners of the land and the relevant planning authority.

(3) Unless the owners of the land and the nominated undertaker otherwise agree, a scheme determined under sub-paragraph (2) must provide for land to be restored to its former condition.

Schedule 16 Part 4

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PART 4

LAND WHICH MAY BE OCCUPIED AND USED FOR CONSTRUCTION OF WORKS

(1) *Area*	*(2)* *Number of land shown on deposited plans*	*(3)* *Purpose for which temporary possession may be taken*	*(4)* *Specified authorised works*	*(5)* *Specified works which may be carried out*
District of Aylesbury Vale Parish of Wendover	105, 106, AP1-2 to AP1-7, AP1-9	Diversion and installation of overhead electric lines	Diversion and installation of overhead electric lines	
	107, AP1-1, AP1-8	Implementation of protective measures for land beneath overhead line works	Diversion and installation of overhead electric lines	
	200, 201	Diversion and installation of overhead electric lines	2/28	

Build the railway