

**TRANSPORT AND WORKS ACT 1992: PROPOSED NETWORK RAIL
LONDON TO CORBY (LAND ACQUISITION, LEVEL CROSSING &
BRIDGE WORKS) ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990: REQUEST FOR DEEMED
PLANNING PERMISSION**

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

STATEMENT OF MATTERS

This Statement relates to the public inquiry to be held into the applications by Network Rail Infrastructure Limited (NR) for:

- (i) the above Order under the Transport and Works Act 1992 (“TWA”), and
- (ii) a direction as to deemed planning permission for the development for which provision is included in the TWA Order.

This statement sets out pursuant to rule 7(6) of the Transport and Works (Inquiries Procedure) Rules 2004 the matters about which the Secretary of State for Transport particularly wishes to be informed for the purposes of his consideration of the applications.

1. The aims and the need for the proposed Network Rail London to Corby (Land Acquisition, Level Crossing & Bridge Works) Order Scheme (“the scheme”).

2. The main alternative options considered by Network Rail and the reasons for choosing the proposals comprised in the scheme.

3. The extent to which the proposals in the TWA Order are consistent with the National Planning Policy Framework, national transport policy, and local planning, transport and environmental policies.

4. The likely impact of the exercise of the powers in the proposed TWA Order on land owners, tenants and statutory undertakers, including any adverse impact on their ability to carry on their business and undertakings effectively and safely and to comply with any statutory obligations applying to their operations during construction and operation of the scheme. Consideration under this heading should include:

- (a) the impacts from the proposed temporary and permanent road and rights of way closures relating to the scheme;**
- (b) the impact of the proposed works on access and servicing arrangements to properties and changes to parking provision;**

(c) the impacts on land use, including the effects on commercial property and the effect on other planned development;

(d) security and safety considerations;

5 In relation to the reconstruction of the bridge carrying Bromham Road over the Midland Main Line:

(a) the possible provision of a dedicated cycleway and segregated pedestrian footway;

(b) adequacy of the design of the bridge for all users including wheelchair users and cyclists;

(c) impact on community garden facilities and mature trees;

(d) impacts on Bedford station and future rail development;

(e) impact of construction work and temporary alternative route on nearby residents and users of the Broham Road bridge;

(f) environmental impacts including daylight to residential buildings, noise, vibration and dust.

6. The purpose and effect of any substantive changes proposed by NR and other interested parties to the draft TWA Order, and whether anyone whose interests are likely to be affected by such changes has been notified.

7. The measures proposed by Network Rail to mitigate any adverse impacts of the scheme including any protective provisions proposed for inclusion in the draft TWA Order or other measures to safeguard the operations of utility providers or statutory undertakers.

8. Having regard to the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the MHCLG Guidance on the “Compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion” (published on 29 October 2015):

a) whether there is a compelling case in the public interest for conferring on Network Rail powers compulsorily to acquire and use land for the purposes of the scheme;

b) whether the land and rights in land for which powers are sought are required by Network Rail in order to secure satisfactory implementation of the scheme.

9. The conditions proposed to be attached to the deemed planning permission for the scheme, if given, and in particular whether those

conditions satisfy the six tests referred to in Paragraph 206 of the National Policy Framework.

10. Network Rail's proposals for funding the scheme.

11. Whether the statutory procedural requirements have been complied with.

12. Any other matters which may be raised at the inquiry.

Notes

It should be noted that whilst the above matters appear to the Secretary of State, from the evidence so far available, to be the principal ones that need to be addressed, this statement does not preclude the inquiry Inspector from hearing evidence on any other matters that he/she may consider relevant to the consideration of the application. In addition this statement does not pre-determine the order in which issues are to be addressed at the inquiry, nor does it imply any order of importance.

The Secretary of State will be required to make a specific decision in relation to each of the proposed crossing closures and associated provisions relating to the respective crossing, within the scheme. The Inspector is invited to make recommendations to the Secretary of State accordingly.

**TWA Orders Unit
Department for Transport
November 2018**