

## **Transport and Works Act 1992**

### **The Transport and Works (Applications and Objections Procedure)(England and Wales) Rules 2006**

#### **The Network Rail (East West Rail Bicester to Bedford Improvements) Order (the Order)**

#### **Draft conditions proposed to be attached to deemed planning permission**

##### ***Condition 1: Time for commencement***

*The development hereby permitted shall commence before the expiration of 5 years from the date on which the Order comes into force.*

##### ***Condition 2: Development Stages***

*No development shall commence until a written scheme setting out the division of the development into individual stages has been submitted to and approved in writing by the local planning authorities. The scheme shall include details of all land to be occupied permanently or temporarily during the construction of each stage or part thereof. The development shall thereafter be carried out in accordance with the approved written scheme.*

##### ***Condition 3: Approved drawings***

*The development shall be carried out in accordance with the planning drawings, as scheduled in the List of Planning Direction Drawings.*

##### ***Condition 4: Design, external appearance and materials***

- (a) The materials, colours and finishes to be used for all highway overbridges, footbridges and new platforms shall be in accordance with the principles set out in the Design and Access Statement, July 2018.*
- (b) Prior to the commencement of construction of any building provided by way of mitigation for the accommodation of bats, drawings showing the layout and external appearance of the structure shall be submitted to the relevant authority for approval in writing, and built in accordance with the approved drawings.*
- (c) The height of any GSM-R masts required in connection with the operation of the scheme shall not exceed 20m above rail level.*

### **Condition 5: Implementation and maintenance of railway fencing**

*No individual stage of the development shall commence until details of the appearance, size and location of any proposed new permanent boundary fencing which abuts a highway, residential or commercial land or premises within that Stage of the development have been submitted to and approved in writing by the Local Planning Authority. All permanent boundary fencing shall be maintained so as to retain its approved appearance.*

### **Condition 6: Landscaping**

*(a) No later than 6 months after the commencement of the individual stage of the development to which it relates, a scheme of both hard and soft landscaping works, covering the locations where landscaping will be undertaken as listed this condition shall be submitted to the relevant local planning authority for approval.*

*The works shall be set out in a scheme which shall include the details of:*

- (i) any structures, such as street furniture, means of enclosure and lighting;*
- (ii) a plan of existing trees and tree features (such as groups of trees or woodland) to be retained and to be removed in accordance with BS5837(2012);*
- (iii) any new trees showing their species, spread and maturity and new planting plans including written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, including the location, number, species, size and planting density;*
- (iv) any earth screen bunds;*
- (v) any areas of grass turfing or seeding and depth of topsoil to be provided, and,*
- (vi) a timescale for the implementation of hard landscaping works.*

*(b) The locations where landscaping schemes shall be submitted to and approved in writing by the relevant local planning authority are as follows:*

- (i) Charbridge Lane (OXD/36AA)*
- (ii) Station Road Launton (OXD/34A)*
- (iii) Queen Catherine Road (OXD/26B)*
- (iv) Verney Junction Overbridge (OXD/24C)*

- (v) *Newton Approach (OXD/9)*
- (vi) *Marston Road Overbridge (BBM/8A)*
- (vii) *Kempston Hardwick Station / Manor Road overbridge (BBM/9B)*

### **Condition 7: Implementation and maintenance of landscaping**

*All landscaping works shall be undertaken in accordance with the appropriate landscaping scheme, approved in writing by the relevant local planning authority under Condition 6. Hard landscaping works shall be implemented in full in accordance with the timescales set out within the relevant approved Landscaping Scheme. Soft landscaping works shall be carried out within the first available planting season after the completion of the adjacent structures. Any tree or shrub planted as part of an approved landscaping scheme that, within a period of 5 years of the date of planting, is removed, dies or becomes, in the opinion of the relevant local planning authority, seriously damaged or seriously diseased, shall be replaced in the first available planting season with a specimen of the same species and size as the original planted to be approved by the relevant local planning authority.*

### **Condition 8: Archaeology**

*(a) No development shall commence in respect of any Individual Stage until the Heritage Delivery Strategy document has been produced and agreed with the relevant Local Planning Authority related to that Individual Stage. This document shall detail evaluation and mitigation measures for heritage assets including buried archaeology. These measures shall include geophysical surveys, trial trenching and excavation and a programme of works.*

*(b) Where archaeological evaluation is planned, no development, unless otherwise agreed in writing beforehand by the local planning authority, shall take place until a location specific written scheme of investigation (WSI) has been submitted to and approved in writing by the relevant Local Planning Authority.*

*(c) Where archaeological remains of national importance are found, no development at that location shall take place until an appropriate methodology for their preservation in situ, where reasonably practical, has been submitted to and approved in writing by the relevant Local Planning Authority. The methodology shall be implemented as approved.*

*(d) Where archaeological remains are recorded by evaluation and are not of sufficient importance to warrant preservation in situ but are worthy of recording, the development at the relevant location shall be carried out in accordance with a WSI,*

*that includes details of timings, provision for post excavation analysis and the publication of a report, which has been submitted to and approved in writing by the relevant Local Planning Authority.*

### **Condition 9: Code of Construction Practice**

*No stage of the development shall commence within the area of a Local Planning Authority until a Code of Construction Practice (“CoCP”), which incorporates the means to mitigate the construction impacts identified in the Environmental Statement (including the tree protection measures and ecological management measures contained within Volume 3, Appendix 2.1), has been submitted to and approved in writing by the relevant local planning authority.*

*The development shall be implemented in accordance with the approved CoCP and the relevant plans or programmes*

### **Condition 10: Contaminated land**

*No development shall commence within the area of a local planning authority until a contaminated land risk assessment has been submitted to and approved in writing by the relevant Local Planning Authority.*

*(a) The contaminated land risk assessment shall include ground investigation, monitoring (including groundwater and gases) within the Order Limits identified in the Environmental Statement which is likely to cause significant harm to persons, or pollution of controlled waters or the environment.*

*(b) Where contamination has been shown to be a risk, a remediation strategy (including a remediation timeframe where applicable) shall be submitted to and approved in writing by the relevant Local Planning Authority.*

*(c) Any required remediation shall be carried out in accordance with the approved remediation strategy and on completion of the development, the objectives, methods and results of the remediation works shall be reported in a verification report which shall be submitted to and approved in writing by the relevant local planning authority in accordance with a timetable that shall first be agreed by the relevant local planning authority.*

### **Condition 11: Ecology**

(a) No stage of the development is to commence within the area of a local planning authority until, for that stage, a written ecological management plan comprising the management of ecology compensation sites and replacement habitats alongside the railway within that route section, reflecting the survey results and ecological mitigation and enhancement measures included in the Environmental Statement (and Further Environmental Information) has been submitted to and approved in writing by the local planning authority with responsibility for any area within each stage.

The ecological management plan shall include:

- i. a programme of implementation, management and maintenance;
- ii. mitigation measures as required in accordance with the register of commitments contained within Appendix A to these conditions [updated annually based on the results of the survey](#); and
- iii. a programme of monitoring with thresholds for action, setting out, if required, a remedial plan of alternative ecological actions.

The requirements of the ecological management plan shall be carried out as approved.

(b) No later than 6 months after the commencement of the development a strategy to achieve an overall 10% net gain in biodiversity for the Order scheme, including monitoring, ~~and~~ [maintenance, management and](#) reporting arrangements, shall be submitted for approval in writing by each local planning authority. [From the time the Order scheme comes into operation](#) ~~No later than 2 years following the coming into operation of the scheme~~ measures to achieve an overall 10% net gain in biodiversity for the scheme (assessed in accordance with the 2019 update proposed by Defra to the 2012 Defra biodiversity metric) shall be implemented in accordance with the approved strategy.

### **Condition 12: Flood risk assessment**

The development shall be undertaken in accordance with the EWR2 Flood Risk Assessment July 2018 with further information as outlined in the EWR2 Flood Risk Assessment to be submitted to and approved in writing by the relevant local planning authority in a phased manner to be first agreed by the relevant planning authority to inform each development stage.

### **Condition 13: Surface water drainage assessment**

(a) No construction of the structures [and stations](#) listed in part (c) shall commence until an overarching surface water drainage assessment, based on the principles of sustainable drainage, has been submitted to and approved in writing by the relevant local planning authority.

(b) A surface water drainage scheme for each of the structures [and stations](#) listed in part (c) which shall comply with the outputs of the approved surface water drainage assessment [and include arrangements for the whole life maintenance and management of the drainage scheme](#), shall be submitted to and approved in writing by the relevant local planning authority.

(c) Structures:

*OXD/36AA Charbridge Lane*

*OXD/35B Manor Farm*

*OXD/34A Station Road Launton*

*OXD/33A Marsh Gibbon*

*OXD/26B Queen Catherine Road*

*OXD/25 Sandhill Road (Middle Claydon)*

*OXD/24C Verney Junction*

*OXD/14A Moco Farm*

*OXD/10AA Salden*

*BBM/9B Manor Road*

*BBM/8A Marston Road*

*BBM/6AA Woodleys Farm*

*MCJ2/178A Lower Blackgrove No.1*

*MCJ2/177 Fleet Marston*

Stations:

*Ridgmont Station Platform Extensions*

*Woburn Sands Platform Extensions*

*Aylesbury Vale Parkway Station Platform Extension*

*Winslow Station (new station)*

*Bletchley Station (2 new High Level Platforms)*

The development shall be implemented [and maintained](#) in accordance with the approved surface water drainage [strategy and](#) scheme.

**Condition 14: Highways**

(a) No stage of the development is to commence within the area of a local planning authority until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the relevant local planning authority. The CTMP shall include but shall not be limited to:

- i. Details of construction access routes including access and egress points onto the public highway, including visibility splays, width, radii, fencing and gates
- ii. Prohibited routes for construction traffic
- iii. Any time restrictions imposed on any routes
- iv. Temporary road and Public Right of Way (PRoW) closures and diversions
- v. A signage strategy for each construction access route adopting the principles set out on the following drawings:

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010301

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010302

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010303

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010304

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010305

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010306

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010307

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010308

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010309

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010310

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010311

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010312

133735\_2A-EWR-OXD-CC\_A4-DR-CH-010313

- vi. *Details of the audit and performance monitoring for construction traffic to ensure their adherence to the stated routes and restrictions*
- vii. *~~Temporary~~ [T](#)raffic control measures (including details of traffic signal installations)*
- viii. *Site specific controls in consideration of the potential nuisance (noise, vibration, mud and dust)*
- ix. *Prohibition of parking of any construction site vehicles along the public highway*
- x. *Detailed plans of highway improvements for safety, capacity, accessibility and resilience along any routes where considered necessary by the local planning authority including but not limited to details of passing bays, junction alterations, areas of carriageway widening, highway structures, footways, cycleways, drainage, signage, Intelligent Traffic Systems, road markings and carriageway strengthening required as a result of construction of the works with a timetable for implementation of the improvements and removal where appropriate*
- xi. *Details of site hoarding*
- xii. *Details of control of access/site security*
- xiii. *Parking, including for site operatives, turning, loading and off-loading facilities*
- xiv. *Pre-condition survey of the existing highway network to be used for construction traffic to be undertaken prior to the construction route being brought into use and proposals for inspection and repair of any damage to the highway network attributable to construction traffic*
- xv. *Proposals for the reinstatement of P<sub>Ro</sub>Ws where used for construction traffic*
- xvi. *Details of the storage of materials, plant and machinery*
- xvii. *Details of the management and handling of the movement of any excess excavated material and any new imported material*

*The construction of each stage of the development shall be carried out in accordance with the approved Construction Traffic Management Plan.*

*(b) No P<sub>Ro</sub>W diversions or new P<sub>Ro</sub>W shall be constructed until the detailed designs including the method of construction and the timeframe for completing such works have been approved in writing by the relevant local planning authority. The*



*construction of all PRow diversions or new PRow shall be carried out in accordance with the approved details.*

**Condition 15: Noise attenuation**

*All noise barriers shall be constructed in accordance with the Network Rail (East West Rail Bicester to Bedford Improvements) Order Environmental Statement dated July 2018 and maintained for the duration of the operation of the railway.*