

**TRANSPORT AND WORKS ACT 1992**

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

**THE NETWORK RAIL (HITCHIN (CAMBRIDGE JUNCTION)) ORDER**

**Request for a Direction under Section 90(2A) of the Town and Country  
Planning Act 1990 (Rule 10(6))**

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To: The Secretary of State for Transport  
Department for Transport  
c/o TWA Orders Unit  
Zone 9/09  
Southside  
105 Victoria Street  
London SW1E 6DT

1. Network Rail Infrastructure Limited hereby requests, in association with its application under section 1 of the Transport and Works Act 1992 for The Network Rail (Hitchin (Cambridge Junction)) Order ("the draft Order") and pursuant to rule 10(6) of the above mentioned Rules, a direction from the Secretary of State under section 90(2A) of the Town and Country Planning Act 1990. The Direction sought is one of deemed planning permission to be granted, so far as it is required, for the development provided for in the draft Order within the various limits provided for in the draft Order and the accompanying Order plans.
2. The draft Order would authorise the construction and operation of a new section of railway, running partly on embankment and partly on viaduct, from a point to the north of Hitchin Station to a point on the existing Hitchin to Cambridge Line to the west of Stotfold Road in the District of North Hertfordshire.
3. The proposed development comprises the construction and operation of:-
  - (a) the works specified in Schedule 1 to the draft Order; and

- (b) any ancillary works proposed to be authorised by the draft Order including the ancillary elements of the development shown on the planning drawings listed in Schedule 2 to this request;
  - (c) Highways alterations; and
  - (c) changes of use.
4. The planning permission requested is intended to be granted subject to the conditions set out in Schedule 1 to this request pursuant to rule 10(6)(b).
5. A set of planning drawings showing elements of the development in further detail accompanies this request pursuant to rule 10(6)(d). A list of these drawings is provided at Schedule 2.

Dated 30 September 2009



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Hazel Walker  
Group Company Secretary  
Network Rail Infrastructure Limited  
Kings Place  
90 York Way  
London N1 9AG

## **SCHEDULE 1**

### **DRAFT PLANNING CONDITIONS**

#### **Preamble**

In the following conditions:

"the development" means the works authorized by the Order;

"the local planning authority" means North Hertfordshire District Council;

"Network Rail" means Network Rail Infrastructure Limited; and

"the Order" means The Network Rail (Hitchin (Cambridge Junction)) Order 201[ ]

#### **Time limit for commencement of development**

1. The development shall be commenced before the expiration of five years from the date the Order comes into force.

*(Reason: to comply with the requirements of section 91 of the Town and Country Planning Act 1990)*

#### **Details to be submitted - underbridge**

2. Details of the design and external appearance of the underbridge which forms part of Work No. 1 the approximate position of which is indicated on drawing No. 123448-00 Issue 1, shall be submitted to and approved in writing by the local planning authority before the commencement of construction of the underbridge.

*(Reason: in the interests of the visual amenity of the area)*

#### **Details to be submitted - detention basin and headwall River Hiz**

3. Cross-sections through the detention basin adjacent to the River Hiz showing existing and proposed levels together with the design and external appearance of the outfall and headwall on the River Hiz shall be submitted to and approved in writing by the local planning authority before the commencement of construction of the detention basin and headwalls.

*(Reason: In the interests of the visual amenity of the area and to ensure the detention basin has sufficient capacity)*

#### **Details to be submitted - detention basin Stotfold Road**

4. Cross-sections through the detention basin adjacent to the Stotfold Road showing existing and proposed levels together shall be submitted to and approved in writing by the local planning authority before the commencement of construction of the detention basin.

*(Reason: In the interests of the visual amenity of the area and to ensure the detention basin has sufficient capacity)*

#### **Construction - Planning and Environmental Management**

5. The development shall be constructed in accordance with Network Rail's "Planning and Environmental Management Strategy", as set out in the Environmental Statement Vol. 2 Scoping and Methodology Report, Appendix C. In particular a Traffic Management Plan and Noise and Vibration mitigation plan shall be prepared in consultation with the local planning authority.

*(Reason: to protect the amenity of the locality)*

#### **Landscaping scheme**

6. Details of the landscaping for the sites indicated on drawing no 123448-00 CV-001 issue 01 shall be submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented in accordance with the approved details in the first planting season following the substantial completion of the works. Any tree or shrub included in the scheme that dies or is removed or becomes seriously diseased or is damaged within the first five years shall be replaced in the next planting season with another of similar size and species or as otherwise may be agreed in writing by the local planning authority.

*(Reason: in the interests of the visual amenity of the area)*

## **Archaeology**

7. Network Rail shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow any such nominated person to observe the excavations, carry out investigations and record items of interest and finds.

*(Reason: to ensure that archaeological artifacts and information are preserved)*

## **Construction Noise**

8. No part of the works shall commence until an application has been submitted to and notice of consent given by the local authority under Section 61 of the Control of Pollution Act 1974 for that part of the works. The work shall thereafter be constructed in accordance with the Section 61 consent for that part of the works.

*(Reason: In the interests of public health and amenity)*

## **Air Quality**

9. Network Rail shall monitor Nitrogen Dioxide levels prior to and during the construction phase at Cadwell Court (or other location agreed with the local planning authority) and report the findings to the local planning authority

*(Reason: In the interests of public health and amenity)*

## **SCHEDULE 2**

### **LIST OF DRAWINGS**

- 123448-00 CV-001 issue 01 general arrangement
- 123448-00 CV-002(1) issue 01 cross sections sheet 1 of 2
- 123448-00 CV-002(2) issue 01 cross sections sheet 2 of 2
- 123448-00 CV-003 issue 01 construction access and temporary works
- 123448-00 ST-003(1) issue 01 viaduct general arrangement
- 123448-00 ST-003(2) issue 01 viaduct elevations
- 123448-00 UT-004 issue 01 Utilities Diversions
- 123448-00 ST-004.dgn issue 01 general arrangement Cadwell Lane