

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE) (ENGLAND AND WALES) RULES 2006

THE CROXLEY RAIL LINK ORDER

RULE 10(6) REQUEST FOR PLANNING PERMISSION

1. Hertfordshire County Council and London Underground Limited (“the Applicants”) request 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 that, subject to paragraphs 2 and 3 below, planning permission shall be deemed to be granted for the construction and use of:-
 - (a) the works specified in Schedule 1 to the draft Croxley Rail Link Order; and
 - (b) the other development which is proposed to be authorised by the Order including the ancillary development specified in Schedule 1 to this request.
2. The development for which planning permission is requested is development which in respect of any works or matters, is carried out within any of the limits or at any of the places authorised by the draft Order.
3. The planning permission requested is intended to be granted subject to the conditions set out in Schedule 2 to this request. These include conditions reserving for subsequent approval of the local planning authority matters relating to construction, archaeology, contamination, means of access, landscaping, massing, height and external appearance of structures, environmental mitigation, drainage, and flood compensation.

Winckworth Sherwood

Winckworth Sherwood LLP, Solicitors and Parliamentary Agents, Minerva House, 5 Montague Close, London, SE1 9BB, on behalf of the Applicants.

SCHEDULE 1

SCHEDULE OF ANCILLARY DEVELOPMENT

Ancillary development in connection with Works Nos. 1, 1A, and 2:

Demolition of the bridge carrying the existing railway over Ascot Road, construction of an electricity substation with a maximum height of 10.65 metres and a maximum footprint of 20.5 by 40 metres located on land to the south of the railway adjacent to Tolpits Lane, embankments, aprons, abutments, retaining walls, wing walls, culverts; electrical, telecommunications, signalling, and mechanical equipment and other works necessary or expedient for the construction of Works Nos 1, 1A, and 2, provision of temporary working sites, diversion of statutory undertakers apparatus, including mains, sewers, drains and cables; noise attenuation measures and landscaping, reconfiguration of Watford Road playground and other works to mitigate any adverse effects of the construction, maintenance or operation of the proposed works.

Ancillary development within operational railway between the termination of Work No 2 and Watford Junction station

Alteration of existing railways, extension of platforms 1 and 2 at Watford High Street station and platforms 3 and 4 at Watford Junction station, the provision of rail systems and facilities for operational purposes, installation of fourth rail power supply and reconfiguration of permanent way and signalling.

SCHEDULE 2

DRAFT PLANNING CONDITIONS

Interpretation

In the following conditions: -

“the Ascot Road bridge works” means any or all of the reconstruction of the bridge carrying the railway over old Ascot Road,

“the Cardiff Road bridge works” means the widening of the bridge carrying the railway over former Cardiff Road;

"Code of Construction Practice" means a code setting out:

- (a) the general principles and requirements to be applied during construction for site operations; and
- (b) details of how those principles and requirements are to be applied for each element of the development on a site-specific basis;

"development" means development permitted by the direction given in the accompanying letter;

"the deposited plans" has the same meaning as in article [2] of the Order;

“the Environmental Statement” means the environmental statement submitted with the application for the Order;

"the local planning authority" means Watford Borough Council or Three Rivers District Council, as the case may be, in relation to development within the area of that authority;

“the parapet works” means the parapet strengthening works to the bridges carrying Tolpits Lane, Vicarage Road and Wiggenhall Road over the railway;

“the stations” means the proposed Ascot Road and Watford Hospital stations;

“the substation” means the substation to be constructed to the east of Tolpits Lane, adjacent to the proposed railway, and

“the viaduct” means the viaduct carrying the proposed railway over Baldwins Lane, Rickmansworth Road, the Grand Union Canal, Beggars Bush Lane, the river Gade and connecting with the Ascot Road bridge works.

Time limits

1. The development shall commence no later than five years from the date that the Order comes into force.

(Reason: to ensure the development is begun within a reasonable period of time.)

Code of Construction Practice

2. No development shall commence until Part 1 of the Code of Construction Practice has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan unless subsequently otherwise approved by the local planning authority in writing.
3. Before any development commences at a worksite, a part 2 of the Code of Construction Practice specifically for that worksite shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to protect the amenities of neighbouring residents and the local area generally).

Landscaping Design

4. No development shall commence for any stage of the works until a written landscaping scheme for that stage has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include details of all proposed soft and hard landscaping works including the measures set out in [paragraphs 6.6.2 to 6.6.8 of chapter 6 and TS1 of chapter 18] of the Environmental Statement and in addition, where relevant:
 - (a) location, number, species, size and planting density of any proposed planting;
 - (b) cultivation, importing of materials and other operations to ensure plant establishment;
 - (c) proposed finished ground levels;
 - (d) hard surfacing materials;
 - (e) minor structures including street furniture, refuse or other storage units and signs;
 - (f) proposed and existing functional services above and below ground, including power and communications cables and pipelines, manholes and supports;
 - (g) details of existing trees to be retained, with measures for their protection during the construction period; and
 - (h) implementation timetables for all landscaping works.

(Reason: in the interests of visual amenity)

Landscaping Implementation and Maintenance

5. The landscaping works for each stage shall be carried out in accordance with the scheme and implementation timetables approved for that stage under condition 4 unless subsequently otherwise approved by the local planning authority in writing.
6. Any tree or shrub planted as part of any approved landscaping scheme that, within a period of five years after planting is removed, dies or become seriously damaged or diseased, shall be replaced in the first available planting season with a specimen of the same size and species as that originally planted, unless the local planning authority gives written consent to any variation.

(Reason: to secure a visually satisfactory setting for the development and to ensure that planting is carried out in a timely manner and maintained thereafter)

Surface water drainage

7. No development shall commence for any stage of the works until written details of the surface and foul water drainage system (including means of pollution control) for that stage have been submitted to and approved in writing by the local planning authority. The surface and foul water drainage system must be constructed in accordance with the approved details unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to ensure the provision of adequate drainage facilities and pollution control)

Contaminated land and groundwater

8. No development shall commence for any stage of the works until a written scheme to deal with the contamination of any land, including groundwater, for that stage within the Order limits which is likely to cause significant harm to persons or pollution of controlled waters or the environment, has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment report, [prepared by a specialist consultant approved by the relevant planning authority,] to identify the extent of any contamination and the remedial measures to be taken for that stage to render the land fit for its intended purpose, together with a management plan which sets out long-term measures with respect to any contaminants remaining on the site. Remediation must be carried out in accordance with the approved scheme unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to ensure that any necessary site investigation and remedial action is undertaken in relation to contaminated land.)

Archaeology

9. No development for the stations, viaduct, Ascot Road Bridge works or substation shall commence in each case until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved scheme unless subsequently otherwise approved by the local planning authority in writing.

(Reason: To ensure that archaeological artefacts and information are preserved.)

Ecological management plan

10. No development shall commence for any stage of the works until a written ecological management plan [reflecting where relevant the survey results and ecological mitigation and enhancement measures included in [paragraphs 6.6.9 to 6.6.11] of chapter 6 and [paragraphs EC1 to 5 of chapter 18 of volume 1] of the Environmental Statement for that stage has been submitted to and approved in writing by the local planning authority. The ecological management plan shall include an implementation timetable and must be carried out as approved unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to protect and enhance the ecological value of the area)

Highway access

11. No development shall commence for any stage of the works until written details of the siting, design and layout of any new permanent or temporary means of access to a highway to be used by vehicular traffic, or any alteration to an existing means of access to a highway used by vehicular traffic for that stage has been submitted to and approved in writing by the local planning authority. The highway accesses shall be constructed in accordance with the approved details unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to ensure appropriate access to and from the stations and railway).

Detailed design approval

12. No development for the stations, viaduct, Ascot Road bridge works, Cardiff Road bridge works, parapet works or substation shall commence in each case until written details of the layout, scale and external appearance, including facing materials in each case have been submitted to and approved in writing by the local planning authority. The development shall be built in accordance with the approved details unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to protect the amenities of adjacent properties and ensure satisfactory external appearance for the development).

Flood compensation

13. No operation of the development shall commence until flood storage compensation has been provided in the area identified as plot 87a on the plans accompanying the Order or such other location and to a written specification submitted to and approved in writing by the local planning authority in consultation with the Environment Agency.

(Reason: to limit any effects arising from flood risk)

Phasing

14. No development shall commence until a written scheme setting out all the stages of the development has been submitted to and approved by the local planning authority.

(Reason: for the avoidance of doubt)

Operational noise monitoring

15. The development shall not be brought into operational use until a written scheme of noise monitoring as described in chapter 18 of the Environmental Statement and based on the criteria set out in the Noise Insulation (Railways and other Guided Transport Systems) Regulations 1996 (as amended) has been submitted to and approved by the local planning authority. The monitoring shall be carried out in accordance with the approved scheme in the first twelve months of operational use.

(Reason: to identify whether the eligibility requirements of the Noise Insulation Regulations are met).

Station Exterior details

16. No development shall commence for the stations until written details of vehicular and pedestrian accesses, parking and circulation areas where relevant for each station have been submitted to and approved in writing by the local planning authority. The development must be constructed in accordance with the approved details unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to provide access for different travel modes and efficient parking and circulation areas)

17. No development shall commence for the stations until written details for external lighting for each station have been submitted to and approved in writing by the local planning authority. The development must be constructed in accordance with the approved details unless subsequently otherwise approved by the local planning authority in writing.

(Reason: to prevent light pollution)