

TRANSPORT AND WORKS ACT 1992

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

THE NETWORK RAIL (ORDSALL CHORD) ORDER

RULE 10(6) REQUEST FOR PLANNING PERMISSION

1. Network Rail Infrastructure Limited requests, pursuant to rule 10(6) of the Transport and Works (Applications and Objections Procedure)(England and Wales) Rules 2006 (S.I. 2006 No. 1466) ("the Applications 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, so far as it is required, shall be deemed to be granted for the development proposed to be authorised by the draft Network Rail (Ordsall Chord) Order ("the draft Order") .
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 proposed planning conditions set out in Schedule 1 to this request, in accordance with Rule 10(6)(b) of the Applications Rules. These include conditions reserving for subsequent approval of the local authority matters relating to construction, landscaping, archaeology, cultivation, ecological mitigation, finishes of structures and alteration, reconstruction or replacement of buildings.
4. A set of planning drawings showing elements of the development in further detail accompanies this request pursuant to Rule 10(6)(d) of the Applications Rules. A list of those drawings is set out in Schedule 2 to this request.

Dated: 16/9/2013

Signed: 

On behalf of Network Rail Infrastructure Limited

SCHEDULE 1

PROPOSED PLANNING CONDITIONS

INTERPRETATION

In the following conditions:–

“the Applications Rules” means the Transport and Works (Applications and Objections Procedure)(England and Wales) Rules 2006 (S.I. 2006 No. 1466);

“the Code of Construction Practice” means the code of construction practice to be submitted to and approved by the local planning authority, a draft of which accompanies the Environmental Statement;

“commence” and “commencement” in relation to the development authorised by the Order do not apply to preliminary works;

“the planning drawings” means the drawings listed in Schedule 2 to the request for planning permission submitted in accordance with Rule 10(6) of the Applications Rules;

“the development” means the development authorised by the Order;

“the Environmental Statement” means the statement of environmental information submitted with the application for the draft Order pursuant to Rule 10(2)(g) of the Applications Rules;

“the local planning authority” means, as respects development in their respective areas, Manchester City Council and Salford City Council;

“Network Rail” means Network Rail Infrastructure Limited;

“the Order” means the proposed Network Rail (Ordsall Chord) Order;

“preliminary works” means site clearance, de-vegetation, remediation, environmental (including archaeological) investigation, site or soil survey, erection of contractors’ work compounds, erection of site offices, erection of fencing to site boundaries or marking out of site boundaries; and

references to numbered works are references to works so numbered in the Order.

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 the Town and Country Planning Act 1990.

In accordance with planning drawings

2. The development must be carried out in accordance with the planning drawings unless otherwise approved in writing by the local planning authority.

Reason: to ensure that the development is carried out in accordance either with the consented design or with such other design details as have been subjected to reasonable and proper controls.

Landscaping

3. (i) No stage of the development is to commence within the area of a local planning authority until a written landscaping scheme for that stage has been submitted to, and approved by, the local planning authority.
- (ii) The submitted scheme must reflect the mitigation measures set out in chapter 17 of the Environmental Statement, with particular reference to the proposed Landscaping Drawing and must contain details of hard landscaping and soft (soil and planting) landscaping including—
 - (a) the location, number, species, size and planting density of any proposed planting;
 - (b) the cultivation and importing of materials and other operations to ensure plant establishment;
 - (c) hard surfacing materials;
 - (d) minor structures such as furniture, refuse or other storage units, signs and lighting;
 - (e) implementation timetables for the works comprised in the landscaping scheme;
 - (f) any temporary fencing to protect existing trees adjacent to the development.

Reason: in the interests of the visual amenity of the area.

Implementation and maintenance of landscaping

4. (i) All landscaping must be carried out in accordance with the scheme and implementation timetable approved under condition 3 (landscaping).
- (ii) Any tree or shrub included in the approved scheme that, within a period of five years after planting, dies, is removed or becomes, in the opinion of the local planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted.

Reason: in the interests of the visual amenity of the area.

Archaeology

5. (i) No stage of the development is to commence within the area of a local planning authority until, for that stage, a written scheme for the investigation of areas of archaeological interest identified at chapter 17.3 in the Environmental Statement has been submitted to and approved by the local planning authority.

- (ii) Such scheme must identify areas where field work and/or a watching brief are required and the measures to be taken in order to protect, record or preserve any significant archaeological remains that may be found.
- (iii) Any archaeological works or watching brief must be undertaken in accordance with the approved scheme by a suitably qualified person or body approved by the local planning authority.

Reason: in the interests of recording and preserving archaeological artefacts in the area.

Code of Construction Practice

- 6. (i) The development must not commence within the area of a local planning authority until a Code of Construction Practice ("CoCP") and the relevant plans and programmes, which incorporate the means to mitigate the construction impacts identified in the Environmental Statement, have been submitted to and approved by the local planning authority.
- (ii) Part B of the CoCP will include the following plans and programmes—
 - (a) an external communications programme;
 - (b) a pollution prevention and incident control plan;
 - (c) a site waste management plan (including a materials management plan);
 - (d) a traffic management plan and a travel plan;
 - (e) a nuisance management plan concerning dust, air pollution and lighting; and
 - (f) a noise and vibration management plan.
- (iii) The development must be implemented in accordance with the approved CoCP and the relevant plans or programmes.
- (iv) In this condition, "the relevant plans and programmes" means the plans or programmes required to be prepared under the CoCP in accordance with paragraph (ii) (a) to (f) of this condition.

Reason: to mitigate anticipated construction impacts arising from the development and to protect the amenities of neighbouring residents and local amenities generally.

Contaminated land

- 7. (i) The development is not to commence within the area of a local planning authority until a written scheme to deal with the contamination of any land, including groundwater, 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 by the local planning authority.
- (ii) The contaminated land scheme must include an investigation and assessment report, prepared by a specialist consultant approved by the local planning authority, to identify the extent of any contamination and the remedial measures to be taken to render the land fit for its intended purpose, together with a contaminated land

management plan setting out any long-term measures relating to any contaminants remaining on the site.

- (iii) Any required remediation must be carried out in accordance with the approved scheme and on completion of the development reported in a verification report which is to be submitted to and approved by the local planning authority.

Reason: to protect local amenities.

Ecology

- 8. (i) 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 reflecting the survey results and ecological mitigation and enhancement measures included in the Environmental Statement, in particular to accord with chapter 17.2 of the Environmental Statement has been submitted to and approved by the local planning authority.
- (ii) The ecological management plan must include an implementation timetable and must be carried out as approved.

Reason: to enhance local bio-diversity.

Finishes of structures

- 9. Details of the materials, finishes, and samples, of bricks and details of anti-graffiti coatings in respect of the bridge and viaduct structures included in Works Nos. 1 to 5 must be submitted to the local planning authority for approval and the construction of such structures must be carried out in accordance with approved details.

Reason: to enable reasonable and proper control to be exercised over aspects of the external appearance of structures.

Alteration, reconstruction or replacement of buildings

- 10. No alteration, reconstruction or replacement of a building or bridge constructed as part of the development is to be carried out under article 7 of the Order (power to construct and maintain works) except in accordance with plans and specifications approved by the local planning authority.

Reason: to enable reasonable and proper control to be exercised over changes to the development.

Requirement for written approval

- 11. Where under any of the above conditions the approval or agreement of the local planning authority or another person is required, that approval or agreement must be given in writing.

Amendments to approved details

- 12. Where under any of the above conditions the development must be carried out in accordance with a scheme or details approved by the local planning authority, the

approved scheme or details are to be taken to include any amendments that may subsequently be approved in writing by the local planning authority.

SCHEDULE 2

LIST OF PLANNING DRAWINGS

Drawing number	Version	Description
TWA-1-0-001	A01	Existing Overview Plan
TWA-1-0-002	A01	Proposed Overview Plan
TWA-1-0-003		Site Edge Red Plan
TWA-1-1-001	A01	Key Plan - Part 1
TWA-1-1-101	A01	Existing & Proposed Track Level Plan - Part 1 - Section 01
TWA-1-1-102	A01	Existing & Proposed Ground Level Plan Part 1 - Section 01
TWA-1-1-103	A01	Existing & Proposed East Elevation Part 1 - Section 01
TWA-1-1-104	A01	Existing & Proposed West Elevation Part 1 - Section 01
TWA-1-1-201	A01	Existing & Proposed Track Level Plan Part 1 - Section 02
TWA-1-1-202	A01	Existing & Proposed Ground Level Plan Part 1 - Section 02
TWA-1-1-203	A01	Existing & Proposed East Elevation Part 1 - Section 02
TWA-1-1-204	A01	Existing & Proposed West Elevation Part 1 - Section 02
TWA-1-1-301	A01	Existing & Proposed Track Level Plan Part 1 - Section 03
TWA-1-1-302	A01	Existing & Proposed Ground Level Plan Part 1 - Section 03
TWA-1-1-303	A01	Existing & Proposed East Elevation Part 1 - Section 03
TWA-1-1-304	A01	Existing & Proposed West Elevation Part 1 - Section 03
TWA-1-1-901	A01	Viaduct Sections - Part 1
TWA-1-2-001	A01	Key Plan - Part 2
TWA-1-2-101	A01	Existing & Proposed Track Level Plan Part 2 - Section 01
TWA-1-2-102	A01	Existing & Proposed Ground Level Plan Part 2 - Section 01
TWA-1-2-103	A01	Existing & Proposed East Elevation Part 2 - Section 01
TWA-1-2-104	A01	Existing & Proposed West Elevation Part 2 - Section 01
TWA-1-2-201	A01	Existing & Proposed Track Level Plan Part 2 - Section 02
TWA-1-2-202	A01	Existing & Proposed Ground Level Plan Part 2 - Section 02
TWA-1-2-203	A01	Proposed East Elevation Part 2 - Section 02
TWA-1-2-204	A01	Proposed West Elevation Network Arch Bridge Part 2 - Section 02
TWA-1-2-205	A01	Proposed Viaduct Sections Over 1830s & ZigZag Part 2 - Section 02
TWA-1-2-301	A01	Proposed & Existing Track Level Plan Part 2 - Section 03

TWA-1-2-302	A01	Existing & Proposed Ground Level Plan Part 2 - Section 03
TWA-1-2-303	A01	Proposed East Elevation Part 02 - Section 03
TWA-1-2-304	A01	Proposed Viaduct Sections Over Network Arch Part 2 - Section 03
TWA-1-2-305	A01	Proposed Section Along Pedestrian Bridge
TWA-1-2-306	A01	Existing Elevation Princes Bridge
TWA-1-2-401	A01	Existing & Proposed Track Level Plan Part 2 - Section 04
TWA-1-2-402	A01	Existing & Proposed Ground Level Plan Part 2 - Section 04
TWA-1-2-403	A01	Proposed East Elevation Part 2 - Section 04
TWA-1-2-404	A01	Proposed Viaduct Sections Over Trinity Way Part 2 - Section 04
TWA-1-2-501	A01	Existing & Proposed Track Level Plan Part 2 - Section 05
TWA-1-2-502	A01	Existing & Proposed Ground Level Plan Part 2 - Section 05
TWA-1-2-503	A01	Existing & Proposed East Elevation Part 2 - Section 05
TWA-1-2-504	A01	Existing & Proposed West Elevation Part 2 - Section 05
TWA-1-2-901	A01	Existing Elevation Princes Bridge
TWA-1-2-902	A01	Existing Girder Structure
TWA-1-3-001	A01	Key Plan - Part 3
TWA-1-3-101	A01	Existing & Proposed Track Level Plan Part 3 - Section 01
TWA-1-3-102	A01	Existing & Proposed Ground Level Plan Part 3 - Section 01
TWA-1-3-103	A01	Existing & Proposed East Elevation Part 3 - Section 01
TWA-1-3-104	A01	Existing & Proposed West Elevation Part 3 - Section 01
TWA-1-3-201	A01	Existing & Proposed Track Level Plan Part 3 - Section 02
TWA-1-3-202	A01	Existing & Proposed Ground Level Plan Part 3 - Section 02
TWA-1-3-203	A01	Existing & Proposed East Elevation Part 3 - Section 02
TWA-1-3-204	A01	Existing & Proposed West Elevation Part 3 - Section 02
TWA-1-3-301	A01	Existing & Proposed Track Level Plan Part 3 - Section 03
TWA-1-3-302	A01	Existing & Proposed Ground Level Plan Part 3 - Section 03
TWA-1-3-303	A01	Existing & Proposed East Elevation Part 3 - Section 03
TWA-1-3-304	A01	Existing & Proposed West Elevation Part 3 - Section 03
TWA-1-3-901	A01	Proposed Viaduct Sections Over Middlewood (L&MR) Part 3 - Section 03
TWA-1-4-001	A01	Design Drawing Key Plan - Part 4
TWA-1-4-101	A01	Existing Track Level Plan Part 4 - Section 01
TWA-1-4-102	A01	Proposed Track Level Plan Part 4 - Section 01
TWA-1-4-103	A01	Existing Ground Level Plan Part 4 - Section 01

TWA-1-4-104	A01	Proposed Ground Level Plan Part 4 - Section 01
TWA-1-4-105	A01	Existing & Proposed East Elevation Part 4 - Section 01
TWA-1-4-106	A01	Existing & Proposed West Elevation Part 4 - Section 01
TWA-1-4-201	A01	Existing Track Level Plan Part 4 - Section 02
TWA-1-4-202	A01	Proposed Track Level Plan Part 4 - Section 02
TWA-1-4-203	A01	Existing Ground Level Plan Part 4 - Section 02
TWA-1-4-204	A01	Proposed Ground Level Plan Part 4 - Section 02
TWA-1-4-205	A01	Existing & Proposed East Elevation Part 4 - Section 02
TWA-1-4-206	A01	Existing & Proposed West Elevation Part 4 - Section 02
TWA-1-4-301	A01	Existing Track Level Plan Part 4 - Section 03
TWA-1-4-302	A01	Proposed Track Level Plan Part 4 - Section 03
TWA-1-4-303	A01	Existing Ground Level Plan Part 4 - Section 03
TWA-1-4-304	A01	Proposed Ground Level Plan Part 4 - Section 03
TWA-1-4-305	A01	Existing & Proposed East Elevation Part 4 - Section 03
TWA-1-4-306	A01	Existing & Proposed West Elevation Part 4 - Section 03
TWA-1-4-901	A01	Proposed Viaduct Section Over Salford Central Part 4
TWA-1-5-001	A01	Design Drawing Key Plan - Part 5
TWA-1-5-101	A01	Existing Track Level Plan Part 5 - Section 01
TWA-1-5-102	A01	Proposed Track Level Plan Part 5 - Section 01
TWA-1-5-103	A01	Existing Ground Level Plan Part 5 - Section 01
TWA-1-5-104	A01	Proposed Ground Level Plan Part 5 - Section 01
TWA-1-5-105	A01	Existing & Proposed East Elevation Part 5 - Section 01
TWA-1-5-106	A01	Existing & Proposed West Elevation Part 5 - Section 01
TWA-1-5-201	A01	Existing Track Level Plan Part 5 - Section 02
TWA-1-5-202	A01	Proposed Track Level Plan Part 5 - Section 02
TWA-1-5-203	A01	Existing Ground Level Plan Part 5 - Section 02
TWA-1-5-204	A01	Proposed Ground Level Plan Part 5 - Section 02
TWA-1-5-205	A01	Existing & Proposed East Elevation Part 5 - Section 02
TWA-1-5-206	A01	Existing & Proposed West Elevation Part 5 - Section 02
TWA-1-5-301	A01	Existing Track Level Plan Part 5 - Section 03
TWA-1-5-302	A01	Proposed Track Level Plan Part 5 - Section 03
TWA-1-5-303	A01	Existing Ground Level Plan Part 5 - Section 03
TWA-1-5-304	A01	Proposed Ground Level Plan Part 5 - Section 03
TWA-1-5-305	A01	Existing & Proposed East Elevation Part 5 - Section 03
TWA-1-5-306	A01	Existing & Proposed West Elevation Part 5 - Section 03
TWA-1-6-401	A01	Utilities Bridge, Castlefield Bridge. Existing
TWA-1-6-402	A01	Utilities Bridge - Proposed Bridge Plan

TWA-1-6-403	A01	Pedestrian Bridge - Existing Bridge Plan
TWA-1-6-404	A01	Pedestrian Bridge - Proposed Bridge Plan
TWA-1-6-405	A01	Pedestrian Bridge - Existing Bridge Sections
TWA-1-6-406	A01	Pedestrian Bridge - Proposed Bridge Sections
TWA-1-6-407	A01	Proposed Landscape Plan