

SCHEDULES

SCHEDULE 1

Article 5

AUTHORISED DEVELOPMENT AND REQUIREMENTS

PART 1

AUTHORISED DEVELOPMENT

A nationally significant infrastructure project as defined in sections 14 and 25 of the 2008 Act comprising—

In the county of Suffolk, districts of Ipswich and Babergh

Work No. 1 – A railway 1,415 metres in length, commencing at a point on the existing Great Eastern Main Line railway 650 metres north-west of the bridge carrying that railway over Sproughton Road, passing south-eastwards on existing embankment then passing south-eastwards over the River Gipping, curving eastwards and then north-eastwards on the south-eastern side of the River Gipping then joining the existing East Suffolk Line railway passing back over the River Gipping and terminating at a point on the East Suffolk Line railway 70 metres north-east of the bridge carrying that railway over the river.

Work No. 1 includes widening of the existing embankment carrying the Great Eastern Main Line railway on its north-eastern side supported by a retaining wall; a new bridge adjacent to the existing bridge carrying the Great Eastern Main Line railway over Sproughton Road; a bridge over the River Gipping; an embankment carrying the proposed railway on the south-eastern side of the River Gipping; and the reconstruction of bridge 404 carrying the East Suffolk Line railway over the River Gipping.

Associated development within the meaning of section 115(2) of the 2008 Act (development for which development consent may be granted) comprising—

Work No. 2 – Diversion of a surface water sewer, commencing at a point 75 metres south of the junction of Sproughton Road and Boss Hall Road, passing south-eastwards and terminating by means of an outfall into the River Gipping at a point 55 metres north-east of the bridge carrying the Great Eastern Main Line railway over the river;

Work No. 3 – Extension of the training wall on the southern side of the River Gipping between points R1 and R2 on the works plans;

Work No. 4 – An access road commencing at a point 205 metres south of the bridge carrying the East Suffolk Line railway over the River Gipping passing north-eastwards through the proposed embankment (Work No. 1) by means of an underpass, then passing south-westwards by means of a ramp and terminating at a point on the said embankment 110 metres south-west of the point of commencement;

and in connection with such works further associated development within Order limits consisting of—

- (a) demolition of the former cold store building at the Harris Factory site;
- (b) electrical equipment and signalling works;
- (c) ramps, means of access, cyclepaths and footpaths;

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- (d) embankments, aprons, abutments, retaining walls, wing walls and culverts;
- (e) works to alter the position of apparatus, including mains, sewers, drains and cables;
- (f) works to alter the course of, or otherwise interfere with, a watercourse other than a navigable watercourse;
- (g) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised project;
- (h) works for the benefit or protection of land affected by the authorised project;
- (i) working sites in connection with the construction of the authorised project;
- (j) a temporary structure secured to the north bank of the River Gipping to support a footpath and cycleway for use as a temporary replacement for any part of the existing footpath and cycleway while that part is stopped up under article 11 (temporary stopping up of streets); and
- (k) such other works as may be necessary or expedient for the purposes of or in connection with the construction of the authorised project and which fall within the scope of the environmental impact assessment recorded in the Environmental Statement.

For the purpose of the description of further associated development, the Order limits do not include so much of Boss Hall Road as is shown numbered 33 on the land plans.

PART 2 REQUIREMENTS

Interpretation

1. In this Part of this Schedule—

“the CR-E” means Network Rail’s Contract Requirements-Environment Issue 5, April 2004 as set out in chapter 15, Volume 3 of the Environmental Statement; and

“stage” means a defined section or part of the authorised development the extent of which is shown in a scheme submitted to and approved by the relevant planning authority pursuant to requirement 2 (stages of authorised development).

Stages of authorised development

2. No authorised development is to commence until a written scheme setting out all the stages of the authorised development has, after consultation with the highway authority, been submitted to and approved by the relevant planning authority.

In accordance with approved details

3. The authorised development must be carried out in accordance with the design drawings certified under article 32 (certification of plans etc.) unless otherwise approved by the relevant planning authority.

Landscaping

4. No stage of the authorised development is to commence until a written landscaping scheme for that stage has been submitted to and approved by the relevant planning authority. The submitted scheme must reflect the mitigation measures set out in Chapter 8, Technical Report 8, Townscape

and Visual Effect Assessment in Volume 3 of the Environmental Statement, with particular reference to paragraphs 1.6.9 to 1.6.18 of the Chapter. The landscaping scheme must include details of—

- (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) implementation timetables for all landscaping work;
- (d) temporary fencing to protect trees adjacent to the work
- (e) measures relating to the removal of rabbit protection provided for trees and shrubs and to the checking, adjusting and repairing of all stakes, ties, shelters and fencing used in accordance with the scheme; and
- (f) proposals to take account of the presence of trees with trunks of a diameter of 100 millimetres or more and to minimise the loss of such trees.

Implementation and maintenance of landscaping

5.—(1) All landscaping work must be carried out in accordance with the scheme and implementation timetable approved under requirement 4 (landscaping).

(2) Any tree or shrub planted as part of an approved landscaping scheme that, within a period of 5 years after planting, is removed, dies or becomes, in the opinion of the relevant 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, unless otherwise approved by the relevant planning authority.

Highway access

6.—(1) No bulk fill material required for the construction of the railway embankment on the south-east side of the River Gipping (chainage 12250 to 12550), forming part of Work No. 1, which requires access from Hadleigh Road is to be brought to site until the PCCL access improvements have been constructed (whether or not by Network Rail) to the satisfaction of the relevant planning authority and to Network Rail’s reasonable satisfaction to such standard (which may be less than final completion) as is sufficient to comply with the planning permission for so long as the road is being used (whether or not by Network Rail) for construction purposes.

(2) In this requirement, “the PCCL access improvements” means the new estate road and junction with Hadleigh Road inclusive of bridge containment works in accordance with the planning permission; and “the planning permission” means the grant of planning permission by Ipswich Borough Council no. IP/11/00120/FUL dated 13th April 2011.

Archaeology

7.—(1) No stage of the authorised development is to commence until for that stage a written scheme for the investigation of areas of archaeological interest identified at paragraph 12.8.1 of the Environmental Statement has been submitted to and approved by the relevant planning authority.

(2) The scheme is to identify areas where fieldwork and a watching brief are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found.

(3) Any archaeological works or watching brief carried out under the approved scheme must be by a suitably qualified person or body approved by the relevant planning authority.

(4) Any archaeological works or watching brief must be carried out in accordance with the approved scheme.

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Contract Requirements-Environment

8.—(1) The authorised development must be carried out in accordance with the CR-E or as otherwise amended with the agreement of the relevant planning authority. The mitigation measures set out in the Environmental Statement must be reflected in preparing any plan required by the CR-E.

(2) The Mandatory Requirements set out in section 5 of the CR-E in respect of—

- (a) 5.10 External Communications programme;
- (b) 5.13 Pollution Incident Control Plan (which must include prior consideration of the potential sources of pollution and how they might be prevented, paying particular attention to the potential pollution impacts of the works on the River Gipping and sub-surface controlled waters and how they might be prevented); and
- (c) 5.17 Waste Management Plan (which must be prepared in accordance with the Site Waste Management Plans Regulations 2008⁽¹⁾),

must be submitted to and approved by the relevant planning authority.

(3) The Pollution Incident Control Plan required under section 5.13 of the CR-E must include the minimum measures set out in section 7 of the Statement of Common Ground between Network Rail, the Environment Agency and Natural England dated 9th January 2012 on the minimum measures required for a pollution incident control plan and submitted to the Examining authority in connection with examination of the application for this Order

(4) The following matters set out in Section 6, ‘Particular Environmental Requirements’ of the CR-E are mandatory—

- (a) 6.2 Environmental Design Management Plan;
- (b) 6.3 Traffic Management Plan;
- (c) 6.4 Noise & Vibration Management Plan;
- (d) 6.6 Dust;
- (e) 6.7 Air Pollution; and
- (f) 6.15 Lighting.

(5) The dust, air pollution and lighting mitigation measures required by the CR-E must be incorporated into a Nuisance Management Plan. The Nuisance Management Plan and other plans required under section 6 of the CR-E must be submitted to and approved by the relevant planning authority.

(6) No stage of the authorised development is to be commenced until such of the plans or programmes required under sections 5.10, 5.13, 5.17, 6.2, 6.3, 6.4 of the CR-E and the Nuisance Management Plan, as relate to that stage of the development have been approved by the relevant planning authority and those plans or programmes must be implemented as approved.

Restriction on access

9. The Traffic Management Plan to be prepared in accordance with requirement 8 (Contract Requirements-Environment), as part of the CR-E, must include a prohibition on access for the construction of the authorised development by HGVs from Hadleigh Road between the hours of 08.00 and 09.00 Monday to Friday.

Noise mitigation Railway Cottages

10. Measures to mitigate the impact of idling engine noise from westbound freight trains held at signals as identified in the Environmental Statement at paragraph 1.6.10 of Volume 3 Report 6,

(1) [S.I. 2008/314](#).

‘Noise and Vibration Technical Report’ on Railway Cottages, Sproughton Road, to the standard provided under the Noise Insulation (Railways and other Guided Transport Systems) Regulations 1996(2), must be submitted to the relevant planning authority for approval. The approved scheme must be completed prior to the opening of the authorised development to rail traffic.

Contaminated land

11.—(1) Proposals for the additional investigation of potential hotspots, implementation of mitigation measures and monitoring requirements identified in the Environmental Statement Volume 3 Specialist Technical Report 11 at paragraph 1.8 concerning existing land (and groundwater) quality, prevention of future contamination and materials management within the authorised development must be incorporated into the Environmental Design Management Plan required under the CR-E in accordance with requirement 8 (Construction Requirements-Environment).

(2) In the event that previously unidentified contamination (to land or groundwater) is encountered whilst carrying out the authorised development, it must be reported in writing immediately to the relevant planning authority and a risk assessment of the contamination completed in accordance with the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

(3) Should localised remediation be required as a result of either identified or previously unidentified land or groundwater contamination, an Implementation Plan must be submitted to and approved by the relevant planning authority, including a detailed description of the nature and method of implementation of the selected remedial options, and justification for the selection of those remedial options, in accordance with the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’. Remediation must be carried out in accordance with the approved Implementation Plan.

(4) On completion of the authorised development, the findings of any additional risk assessments and the details of any remedial works completed whilst carrying out the authorised development must be submitted to and approved by the relevant planning authority within a Verification Report in accordance with the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

Ecological Management Plan

12.—(1) No stage of the authorised development is to commence 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 Table 1-J, ‘Proposed Mitigation During Construction’ in volume 3, Report 9 (Ecology Technical Report) of the Environmental Statement has been submitted to and approved by the relevant planning authority.

(2) The ecological management plan must include an implementation timetable and must be carried out as approved.

Pedestrian/cycle access to River Gipping

13.—(1) If it is required as a condition of any planning permission for the development of the Harris Factory site that a foot and cycle path is provided linking Hadleigh Road and the River Gipping, Network Rail must, following the implementation of such development, provide access under the embankment comprised in Work No. 1 for pedestrians and cyclists via the maintenance access road comprised in Work No. 4 and must dedicate such access as a public right of way.

(2) The provision and dedication of such access is subject to such temporary closure as may be required from time to time in connection with the maintenance of the authorised development.

(2) [S.I. 1996/428](#).

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Finishes of bridges and graffiti

14. Details of the brickwork, sample of bricks and details of anti-graffiti coatings in respect of the new railway bridge over Sproughton Road, the new railway bridge over the River Gipping and the reconstruction of bridge 404 over the River Gipping forming part of Work No. 1, must be submitted to the relevant planning authority for approval. The construction of the three bridges must be carried out in accordance with the approved details.

Alteration, reconstruction or replacement of buildings

15. No alteration, reconstruction or replacement of a building or bridge is to be carried out under article 6 (maintenance of authorised project) except in accordance with plans and specifications approved by the relevant planning authority.

Amendments to approved details

16. With respect to any requirement which requires the authorised development to be carried out in accordance with the details approved by the relevant planning authority, the approved details are to be taken to include any amendments that may subsequently be approved by the relevant planning authority.

Street Lighting at Bridge 404

17.—(1) Before completing the reconstruction of bridge 404 over the River Gipping, Network Rail must, after consultation with the highway authority, submit to the relevant planning authority for approval a street lighting scheme for the footpath under bridge 404.

(2) Network Rail must implement the approved street lighting scheme.

(3) Upon completion of the reconstruction of bridge 404, Network Rail must transfer ownership of the installed lighting equipment to the highway authority.

Temporary cantilever footpath and cycleway

18.—(1) Subject to paragraph (2), Network Rail must not stop up the footpath and cycleway on the north bank of the River Gipping until the temporary structure referred to in paragraph (j) of Part 1 of this Schedule (“the temporary structure”) is available for use by the public.

(2) Network Rail is not obliged to comply with paragraph (1) in circumstances where it considers that for reasons of health and safety compliance is not practically possible.

(3) Before submitting plans of the temporary structure to the Environment Agency in accordance with Part 3 of Schedule 7 (protective provisions), Network Rail must consult the highway authority.

Ramps

19. No ramps of any kind are to be constructed on the land numbered 68 and 69 on the land plans.

Requirement for written approval

20. Where under any of the above requirements the approval or agreement of the relevant planning authority or another person is required, that approval or agreement must be given in writing.