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NETWORK RAIL INFRASTRUCTURE LIMITED

Transport and Works Act 1992

Transport and Works (Applications and Objections Procedure)

(England and Wales) Rules 2006

The Network Rail (Old Oak Common Great Western Mainline Track Access) Order

Request for deemed planning permission and statement of proposed conditions

Rule 10(6)

Request for Direction under Section 90(2A) of the Town and Country Planning Act 1990 and conditions to be attached to the Direction

**THE NETWORK RAIL (OLD OAK COMMON GREAT WESTERN MAINLINE TRACK ACCESS)
ORDER 202[X]**

To: The Secretary of State for Transport, c/o Transport Infrastructure Planning Unit, Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR

1. Network Rail Infrastructure Limited (**Network Rail**) requests, pursuant to rule 10(6) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (**2006 Rules**), a direction from the Secretary of State under section 90(2A) of the Town and Country Planning Act 1990 (**1990 Act**) that planning permission be deemed granted for the development sought to be authorised by the above mentioned Order now being applied for within the various limits provided for in the draft Order and the accompanying plans.
2. The proposed Order authorises a range of matters required to provide:
 - a. temporary Road Rail Vehicle (**RRV**) access onto the Great Western Main Line (**GWML**) railway to enable delivery of the Old Oak Common Station; and
 - b. permanent RRV access onto the GWML railway to enable future maintenance of the railway and the Old Oak Common Station(together the **Project**).
3. The Order would provide statutory powers for Network Rail to:
 - a. temporarily use the land marked as Plots 2, 3 and 4 (shown coloured green, and pink in respect of Plot 3, on the Land Plan) for the construction of the temporary RRAP, RV parking and material lay down areas; and
 - b. secure a permanent right of access to the permanent RRAP located at Plot 1 (shown coloured yellow on the Land Plan) and through Plot 3 (shown coloured pink on the Land Plan).
4. The Project is entirely within the administrative area of the London Borough of Ealing.
5. The majority of the works required in connection with the Project will be permitted by a mix of permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 and the High Speed Rail (London – West Midlands) Act 2017. However, there are elements of the Project which could be considered beyond the scope of these rights and may be development requiring planning permission under section 57(1) of the 1990 Act. These elements consist of works required to:
 - a. erect and construct a temporary worksite, including lay down and storage areas, yards, slab, cranes, plant and machinery, apparatus, fencing and other works and conveniences (Article 3(a)); and

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- b. provide temporary haul routes (Article 3(b)).
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- 6. Network Rail's interest in the Project is as the promoter of the Project with overall responsibility for ensuring its delivery.
 - 7. Notice to property owners and occupiers affected by the Order will be given by way of service of notices in accordance with Rule 15 of the 2006 Rules and other publicity required by those Rules.
 - 8. The direction sought is one of deemed planning permission to be granted for the works specified in paragraph 5 above and in respect of rule 10(6) of the 2006 Rules.
 - 9. This request is accompanied by the deemed planning drawings showing elements of the proposed development in further detail pursuant to Rule 10(6)(d) of the 2006 Rules.
 - 10. A Planning Statement incorporating a Design and Access Statement also accompanies this Request.

Date: 17 April 2023

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Appendix 1

TOWN AND COUNTRY PLANNING ACT 1990

THE NETWORK RAIL (OLD OAK COMMON GREAT WESTERN MAINLINE TRACK ACCESS) ORDER

DRAFT CONDITIONS ATTACHED TO THE DIRECTION AS TO DEEMED PLANNING PERMISSION DATED []

In these conditions unless the context otherwise requires:

"the development" means such works on the land specified in Article 3 of the Order as are required to erect and construct temporary worksites (including lay down and storage areas and other buildings, yards, slab, cranes, plant and machinery, apparatus, fencing and other works and conveniences) and provide temporary haul routes;

"the local planning authority" means London Borough of Ealing; and

"the Order" means the Network Rail (Old Oak Common great Western Mainline Track Access) Order 202[].

Time Limit

1. The Development shall commence before the expiration of 3 years from the date that the Order comes into force.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 and ensure that the Development is commenced within a reasonable period of time.

Temporary Lighting

2. No part of the Development shall commence until the detail of any temporary lighting has been submitted to and approved in writing by the local planning authority.

Reason: To ensure details of temporary lighting have been designed to minimise disturbance to the adjoining residents.

Temporary Hoardings

3. No part of the Development shall commence until the detail of any temporary hoardings has been submitted to and approved in writing by the local planning authority.

Reason: To ensure the design of the temporary fencing is appropriate in its siting and appearance.

Hours of Working

4. No part of the Development shall commence until the detail of hours of working within the temporary compound has been submitted to and approved in writing by the local planning authority.

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Reason: To mitigate potential disturbance to local residents.

Reinstatement

5. No part of the Development shall commence until the details of the reinstatement of the site have been submitted to and approved in writing by the local planning authority.

Reason: To allow return of part of the application site to the owner to commence residential development of the site.