

The Transport and Works Act 1992

The Transport and Works (Application and Objections Procedure) (England and Wales)

Rules 2000

Rule 10(6)

**THE FELIXSTOWE BRANCH LINE AND IPSWICH YARD IMPROVEMENT ORDER
200[]**

**REQUEST FOR DIRECTION UNDER SECTION 90(2A) OF THE TOWN AND
COUNTRY PLANNING ACT 1990**

To: The Secretary of State for Transport, Great Minster House, 76 Marsham Street,
London SW1P 4DR.

1. The Felixstowe Dock and Railway Company hereby seeks, 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 planning permission, so far as it is required, be deemed to be granted for the development sought to be authorised by the Order now being applied for within the various limits provided for in the draft Order and the accompanying deposited plans and sections.

2. The principal works proposed in the Order comprise:
 - (i) Widening of the formation, in places, and the dualling of the existing single track Felixstowe Branch Line, between a point east of Nacton and a point in the vicinity of Trimley St. Mary station;
 - (ii) The reconstruction of road and foot crossings, including the diversion of footpaths and a byway crossed by the railway in (i);
 - (iii) Consequential alterations of structures, drainage systems and signalling along the railway in (i);
 - (iv) Improvements to a level crossing at Westerfield, including the construction of a footbridge; and
 - (v) The laying and re-laying of railway tracks at Ipswich Goods Yard, including consequential retaining structures, the erection of an office building and noise attenuation screens.

The Order also provides for the compulsory purchase of land and interests in land, various highway works (including the realignment of part of Grimston Lane, Trimley St. Martin), and other ancillary works.

3. The development is located principally in the administrative area of Suffolk Coastal District Council, but part of the works in 2(iv) and the works in 2(v) are in the administrative area of Ipswich Borough Council.

4. The applicant's interest in the proposed development is as prospective purchaser of any land not already in the ownership of Network Rail.
5. Notice on property owners and occupiers affected by the proposed development has been given by way of service of notices under Rule 15 of the above-mentioned rules and by other publicity required by those rules.
6. The following aspects of the proposals contained in the draft Order are or may be development requiring planning permission under section 57(1) of the Town and Country Planning Act 1990 as follows:

Proposals	Draft Order Articles/Schedules
The scheduled works	Article 4 and Schedule 1
Level crossings	Articles 14 and 15
Highway alterations and improvements	Articles 7, 10 and 11, Schedules 2 and 6
Changes of use of land	Article 4
Ancillary works	Articles 19 and 27

Where land is being acquired permanently, the effect of this direction will be to change the use of all of the land within the revised railway boundary to railway. Such land will become 'operational land' as defined in section 264(3) of the Town and Country Planning Act 1990.

7. Further particulars of items currently identified as forming elements or possible elements of development proposed are contained in Appendix 1 to this request. References to "Works" and a number are references to the scheduled works contained in the draft Order.
8. The direction sought is one of deemed planning permission to be granted for the whole development and for each element of it and, in response to rule 10(6)(c) of the above-mentioned rules, with certain aspects of design, external appearance, means of access and landscaping being reserved for subsequent approval by the local planning authority to the extent and in the manner set out in conditions attached to the direction. Attached as Appendix 2 to this Request are draft conditions which the applicant currently wishes to propose.
9. There also accompanies this application pursuant to rule 10(6)(d) of the above-mentioned rules a set of Planning Direction drawings showing some of the elements of development in further detail. These show the planning application boundary, the Limits of Land to be Acquired or Used and certain areas to be protected under the terms of the draft Planning Conditions in Appendix 2 of this Request, but are otherwise for illustrative purposes only.

10. An Environmental Statement also accompanies this application.

Dated:

Signed:

DLA Piper Rudnick Gray Cary UK LLP

3 Noble Street

London

EC2V 2EE

Solicitors to The Felixstone Dock and Railway Company

APPENDIX 1

ELEMENTS OF THE DEVELOPMENT OR POSSIBLE DEVELOPMENT

In the administrative area of Ipswich Borough Council

1. At Ipswich Goods Yard
 - a) The laying of new tracks and the realignment of existing tracks within Ipswich Goods Yard (being Work No. 1), including plant, signalling, electrical and mechanical equipment and any other operations necessary for the development, in addition to those listed below;
 - b) Alterations to the formation and the construction of a retaining wall to the railway, at the rear of 11 to 79 Ranelagh Road;
 - c) Removal of the existing railway leading to the former Ipswich Lower Marshalling Yard;
 - d) The construction of a single storey office building;
 - e) The erection of permanent boundary fencing, where necessary, and a noise attenuation barrier at the rear of 11 to 79, Ranelagh Road;
 - f) The construction of a new surface water drain leading to the public sewer ;
 - g) Temporary use of land as a construction work site; and
 - h) Temporary use of an existing highway access to Hadleigh Road and Ranelagh Road.

2. At Westerfield Level Crossing
 - a) The construction of part of a footbridge (being part of Work No. 2).

In the administrative area of Suffolk Coastal District Council

3. At Westerfield Level Crossing
 - a) The construction of part of a footbridge (being part of Work No. 2);
 - b) The installation of automatic full barriers, signalling, traffic lights and CCTV;
 - c) Modifications to kerbs, carriageway and footways to Westerfield Road;
 - d) The erection of permanent boundary fencing, where necessary; and
 - e) The temporary use of land as a construction work site.

4. Between Nacton and Heath Cottages, Levington
 - a) The formation of a railway (being part of Work No. 3), which is generally to comprise the laying of a turn-out and second track alongside the existing single track railway, between Nacton and Heath Cottages, Levington, including plant, electrical and mechanical equipment and any other operations necessary for the development, in addition to those listed below;

- b) The widening of the embankment and cuttings, where necessary;
- c) The temporary use of land to the south of the railway as a construction worksite;
- d) The temporary use or creation of accesses to Felixstowe Road and Bridge Road for construction works access along the railway;
- e) The temporary fencing of land at Levington Park Trial Grounds to protect that land during construction;
- f) Permanent alterations to the highway junction of Bridge Road and Felixstowe Road to assist turning movements or improve visibility;
- g) The erection of permanent boundary fencing, where necessary; and
- h) The temporary closure of a footpath crossing at Levington Heath and reconstruction of that crossing.

5. Between Heath Cottages, Levington and Strattonhall Drift

- a) The formation of a railway (being part of Work No. 3), which is generally to comprise the laying of a second track alongside the existing single track railway, between Heath Cottages, Levington and Strattonhall Drift, including plant, signalling, electrical and mechanical equipment and any other operations necessary for the development, in addition to those listed below;
- b) The widening of the embankment and cuttings, where necessary;
- c) The re-profiling and widening of the level crossing at Strattonhall Drift (being Work No. 4), the installation of new barriers, traffic lights and other consequential works;
- d) The temporary use of land to the south of the railway as a construction works site;
- e) The temporary use or creation of accesses to Strattonhall Drift for construction works access along the railway;
- f) Permanent alterations to the highway junction of Strattonhall Drift and Felixstowe Road to assist turning movements or improve visibility; and
- g) The permanent erection of boundary fencing, where necessary.

6. Between Strattonhall Drift and MP81, east of Morston Hall Cottages

- a) The formation of a railway (being part of Work No. 3), which is generally to comprise the laying of a second track alongside the existing single track railway, between Strattonhall Drift and MP 81, east of Morston Hall Cottages, including plant, signalling, electrical and mechanical equipment and any other operations necessary for the development, in addition to those listed below;
- b) The widening of the embankment and cuttings, where necessary;
- c) The re-profiling and widening of the level crossing at Morston Hall Road (being Work No. 5), the installation of new barriers, traffic lights and other consequential works;
- d) The temporary use of land to the north and south of the railway as construction works sites;

- e) The temporary use or creation of accesses to Felixstowe Road and Morston Hall Road for construction works access along the railway;
- f) Permanent alterations to the highway junction of Morston Hall Road and Felixstowe Road to assist turning movements or improve visibility;
- g) The permanent erection of boundary fencing, as necessary;
- h) The permanent closure of Croft Footcrossing, and parts of Footpath FP8; and
- i) The temporary fencing of parts of the work sites at Morston Hall Road to ensure that they are not used by machinery etc to protect the amenity of residents of Morston Hall Cottages.

7. Between MP 81, East of Morston Hall Cottages and Trimley St. Mary station

- a) The formation of a railway (being part of Work No. 3), which is generally to comprise the laying of a second track alongside the existing single track railway and a tie-in to the existing double track railway, between MP 81, east of Morston Hall Cottages and Trimley St Mary station, including plant, signalling, electrical and mechanical equipment and any other operations necessary for the development, in addition to those listed below;
- b) The widening of the embankment and cuttings, where necessary;
- c) The construction of a new highway, realigning Grimston Lane, for a distance of 80 metres from its junction with Thorpe Lane, (being Work No. 6) and the construction of a new junction to Thorpe Lane;
- d) The re-profiling and widening of the level crossing at Thorpe Lane, Trimley St Martin, (being Work No. 7), the installation of new barriers, traffic lights and other consequential works;
- e) The temporary use of land to the north and south of the railway as construction works sites;
- f) The temporary use or creation of accesses to Thorpe Lane and High Road, Trimley St Mary as a construction works access to the railway;
- g) The permanent closure of the existing foot crossing of the railway on the former alignment of Grimston Lane;
- h) The permanent closure of the existing restricted byway crossing at Gun Lane and diversion to an improved crossing at Footcrossing No. 24 (FP29/30 Trimley St Martin) 190 metres to the west;
- i) the creation of a new way north and south of the railway between Gun Lane and the improved crossing in 7(h);
- j) The provision of fencing or other protective measures to prevent damage to existing woodlands at Gun Lane, Trimley St Mary; and
- k) The erection of permanent boundary fencing, where necessary.