



High Speed Rail (London – West Midlands)  
Act 2017

HS2 Ltd

Warwick District Council

Millburn Grange Farm Accommodation Overbridge  
Schedule 17 Plans and Specifications Written  
Statement for Information

HS2 Consents No. WAC.PS.10020

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# 1 Introduction

## 1.1 Background Information

Table 1: Schedule 17 Address Details and Description of Works

Site	Details
Schem e	High Speed Two
Applicant	High Speed Two (HS2) Limited
Applicant Address	<i>c/o Agent:</i> Balfour Beatty Vinci (BBV) IM House South Drive Coleshill Manor Coleshill West Midlands B46 1DF
Site Address	The works are in the vicinity of Kenilworth and are approximately 0.5km to the north of Kenilworth. The existing Coventry to Leamington Spa rail line is approximately 0.02km to the west of the works and the A429 Kenilworth Road is situated approximately 0.27km to the west of the works.  The works are located at; X (Easting): 430334, Y (Northing): 273726; to X (Easting): 430297, Y (Northing): 273677.
Description	Plans and Specifications submission under Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017 for works comprising: Building – Millburn Grange Farm Accommodation Overbridge including parapets; Earthworks including wingwalls to facilitate the construction of the overbridge; and Fences and Walls – Safety guardrails situated on top of the wingwalls, approximately 1.08m in height and vehicle restraint systems.

## 1.2 Terms of Reference

1.2.1 This Written Statement is compiled in accordance with the High Speed Two (HS2) Phase 1 Planning Memorandum<sup>1</sup> and Planning Forum Notes (PFNs)<sup>2</sup> as required by

<sup>1</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593594/Planning\\_Memorandum.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/593594/Planning_Memorandum.pdf)

<sup>2</sup> <https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-notes-for-local-authorities>

the planning regime established under Schedule 17 of the High Speed Rail (London – West Midlands) Act 2017 ('the Act')<sup>3</sup>.

1.2.2 This statement provides Warwick District Council (the qualifying authority) with information to assist with the determination of the Plans and Specifications submission under Schedule 17, in relation to the above description of works.

1.2.3 The information in this Written Statement is provided for information to assist in determining the request for approval. It is not for approval.

## 1.3 Introduction to High Speed 2

1.3.1 HS2 is a new high speed railway network that will connect major cities in Britain. It will bring significant benefits for inter-urban rail travellers through increased capacity and improved connectivity between London, the Midlands and the North. It will release capacity on the existing rail network and so provide opportunities to improve existing commuter, regional passenger and freight services.

1.3.2 Phase One of HS2 will provide a dedicated high speed rail service between London, Birmingham and the West Midlands. It will extend for approximately 230km (143 miles). Just north of Lichfield, high speed trains will join the West Coast Main Line for journeys to and from Manchester, the North West and Scotland.

1.3.3 For further information on HS2 and the route through Warwick District Council please refer to the Planning Context Report for Warwick District Council, deposited with the Council by HS2 Ltd.

## 1.4 High Speed Rail (London – West Midlands) Act 2017

1.4.1 The Act provides powers for the construction and operation of Phase 1 of High Speed Two. HS2 Ltd is the nominated undertaker in relation to the works subject to this Plans and Specifications submission.

1.4.2 Section 20 to the Act grants deemed planning permission for the works authorised by it, subject to the conditions set out in Schedule 17. Schedule 17 includes conditions requiring the following matters to be approved or agreed by the relevant Local Planning Authority (LPA).

Construction arrangements (including large goods vehicle routes);

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<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2017/7/schedule/17/enacted>

Plans and specifications;

Bringing into use requests; and

Site restoration schemes.

1.4.3 This is therefore a different planning regime to that which usually applies in England (i.e. the Town and Country Planning Act) and is different in terms of the nature of submissions and the issues that the LPAs can have regard to, in determining requests for approval.

1.4.4 Schedule 17 of the Act sets out the grounds on which the LPA may impose conditions on approvals or refuse requests for approval.

1.4.5 This Written Statement includes information supporting the Plans and Specifications submission in relation to the matters outlined in **Table 2** below.

Table 2: Schedule 17 Plans and Specifications Submission Details

Site	Details
Plans and Specifications (permanent works)	Building – Millburn Grange Farm Accommodation Overbridge including parapets; Earthworks including wingwalls to facilitate the overbridge; and Fences and Walls – Safety guardrails situated on top of the wingwalls, approximately 1.08m in height and vehicle restraint systems.

1.4.6 The works to which this application relates, and the cumulative impact of the works in conjunction with other HS2 development, have been assessed and are compliant with paragraph 1.1.3 (bullet point 2) of the HS2 Phase 1 Environmental Minimum Requirements General Principles<sup>4</sup>.

## 1.5 Code of Construction Practice

1.5.1 HS2 Ltd as the nominated undertaker is contractually bound to comply with the controls set out in the Environmental Minimum Requirements (EMRs). The EMRs include the HS2 Code of Construction Practice (CoCP).

<sup>4</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/618074/General\\_principles.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/618074/General_principles.pdf)

1.5.2 The works subject to this request for approval of Plans and Specifications will be undertaken in accordance with the CoCP, and with the Class Approval issued by the Secretary of State (March 2017)<sup>5</sup>.

## 1.6 Schedule 17 Statutory Guidance

1.6.1 The Schedule 17 Statutory Guidance issued by the Secretary of State (April 2021)<sup>6</sup> provides guidance to all planning authorities determining requests for approval under Schedule 17 to the Act. Paragraph 20 of the Statutory Guidance states that planning authorities should not through the exercise of Schedule 17 seek to modify controls already in place such as the EMRs, other controls in the Act such as those under Schedule 4 or 33, or existing legislation.

## 1.7 Structure of Written Statement

1.7.1 This Written Statement is structured as follows:

A description of the location and main characteristics of the area in which the works will be carried out is provided in **Section 2**;

**Section 3** describes the main works being undertaken in the area, as set out in Schedule 1 of the Act, and those that are the subject of this Schedule 17 Plans and Specifications submission;

The design approach and rationale for the works which are the subject of this Schedule 17 Plans and Specifications submission are described in **Section 4**;

**Section 5** summarises the pre-submission consultations that were undertaken, including a list of the consultees, dates, attendees at meetings and a brief summary of the outcome of these discussions;

A high-level programme for the works and how they fit into the wider programme for other works in the area, as set out in Schedule 1 of the Act, is provided in **Section 6**; and

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<sup>5</sup> <https://www.gov.uk/government/publications/high-speed-rail-london-west-midlands-act-2017-class-approval>

<sup>6</sup> <https://www.gov.uk/government/publications/high-speed-rail-london-to-west-midlands-act-2017-schedule-17-statutory-guidance/high-speed-rail-london-west-midlands-act-2017-schedule-17-statutory-guidance>

**Section 7** identifies any other main consents, or known forthcoming consents associated with the works.



## 2 Site Location and Characteristics

### 2.1 Site Location

2.1.1 Millburn Grange Farm Accommodation Overbridge (the overbridge) will be located approximately 5.7km south west of Coventry, 19.5km west of Rugby, 7.2km north of Leamington Spa and approximately 8.4km north of Warwick. Birmingham is situated approximately 25.7km north west of the overbridge and Kenilworth is located approximately 0.5km to the south of the overbridge at its closest point.

2.1.2 The overbridge is located within a parcel of rural land comprising an arable field, a grassland field and two hedgerows which are considered to be species poor. The surrounding area comprises largely agricultural land, Millburn Grange Farm situated 0.07km to the south of the overbridge at its closest point, Coventry to Leamington Spa rail line 0.02km to the west of the overbridge and A429 Kenilworth Road which is situated approximately 0.27km to the west of the overbridge. An access road leading to Millburn Grange Farm adjoins the A429 Kenilworth Road. This access road is located to the south of the HS2 railway track. The overbridge will provide farm access for Millburn Grange Farm to the east side of HS2 railway track.

2.1.3 A row of residential properties is located along the A429 Kenilworth Road approximately 0.45km to the south west of proposed the overbridge.

2.1.4 Finham Brook is located approximately 0.76km south running east to west. Canley Brook, a tributary of Finham Brook, runs south to north, approximately 0.25km south west of the overbridge at its closest point. There are also several ponds approximately 0.12km north west and approximately 0.4km to the east.

2.1.5 The overbridge will be located in Flood Zone 1 signifying a low risk of flooding. Areas of Flood Zone 2 (a medium probability of flooding) and Flood Zone 3 (a high probability of flooding) are situated towards the south west and north west relating to the ponds identified in paragraph 2.1.4.

2.1.6 In relation to ecology there are no statutory designated sites within the boundary of the overbridge. The following statutory designated nature conservation sites have been identified as being in the vicinity of the overbridge:

Wainbody Wood and Stivichall Common, Kenilworth Road Spinney Local Nature Reserve (LNR);

Kenilworth Common LNR (also a Local Wildlife Site (LWS)) approximately 0.7km south and south west;

Knowle Hill LNR approximately 0.9km south;

Parliament Piece LNR approximately 1.5km south west; and

Crackley Wood LNR (an area of ancient woodland) approximately 1.2km west.

2.1.7 In proximity to the overbridge, the following non-statutory designated nature conservation sites have been identified:

Kenilworth Greenway LWS (KGLWS) (the existing Coventry to Leamington Spa rail line) approximately 0.02km west, north, and east of the overbridge; and

Wainbody and Kenilworth Road Woods Local Wildlife Site (LWS) approximately 0.39km north (which is also Wainbody Wood and Stivichall Common, Kenilworth Road Spinney Local Nature Reserve (LNR) as noted above).

2.1.8 Ancient and semi-natural woodland in the surrounding area comprise Wainbody Wood approximately 1.23km north east and Crackley Wood approximately 1.24km west and north west.

2.1.9 There are no statutory designated heritage sites within the boundary of Millburn Grange Accommodation Overbridge.

2.1.10 There are a number of heritage assets situated within the site boundary and in proximity to the site, as set out in the London-West Midlands Environmental Statement (Volume 5 Technical Appendices, CFA18 Stoneleigh, Kenilworth and Burton Green Baseline report CH-001-018 Cultural heritage<sup>7</sup>). These are identified below.

2.1.11 Two non-designated heritage assets fall within the site boundary:

Earthworks to south of Dalehouse Farm (STN041); and

Crackley Assarted Woodland (STN106).

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<sup>7</sup> <http://webarchive.nationalarchives.gov.uk/20140806173413/http://assets.dft.gov.uk/hs2-environmental-statement/volume-5/cultural-heritage/CH-003-018.pdf>

2.1.12 Two designated heritage assets, listed buildings, have been identified in proximity to the site including:

South Winds including raised terrace to rear, Grade II listed building, included within Kenilworth Road Conservation Area (STN046) approximately 0.83km to the north east; and

Dalehouse Farm (STN042), Grade II listed building, located approximately 0.75km south east of Millburn Grange Farm Accommodation Overbridge.

2.1.13 A series of non-designated heritage assets have been identified as being in proximity to the site:

Crackley Bridge (STN048), situated approximately 0.38km west;

Cropmark east of Crackley (STN049), situated approximately 0.3km north west;

Crackley Gate (STN050), situated approximately 0.6km west;

Ridge-and-furrow south of Millburn Grange (STN044), situated approximately 0.14km south;

Millburn Grange (STN045), situated approximately 0.07km south west; and

Millburn deserted medieval settlement (STN047), situated approximately 0.11km south west.

2.1.14 In addition, Kenilworth Road Conservation Area is situated approximately 0.3km north west and Kenilworth Conservation Area is located approximately 1.4km south west of the overbridge site boundary. There are no scheduled monuments or registered parks and gardens in proximity to the site.

## 2.2 Surrounding Highway Network

2.2.1 Millburn Grange Farm Accommodation Overbridge is located approximately 0.27km east of A429 Kenilworth Road. An access road to Millburn Grange Farm also adjoins A429 Kenilworth Road and is approximately 0.08km south of the overbridge at its closest point. The A46 is located approximately 1.56km south east and the nearest motorway, the M40, is situated approximately 11.5km south west at its closest point.

- 2.2.2 There are no Public Rights of Way (PRoW) in the site boundary for the overbridge or near the overbridge.

## 3 Description of the Works

### 3.1 Introduction

- 3.1.1 This Written Statement supports the Schedule 17 submission for the approval of plans and specifications for Millburn Grange Farm Accommodation Overbridge, in the vicinity of Kenilworth.
- 3.1.2 The Plans and Specifications submitted for approval are listed in the pro-forma accompanying the application. A summary of the proposed works for approval is provided in Section 3.2 below.
- 3.1.3 Section 3.3 summarises the indicative mitigation relevant to the works being submitted in accordance with paragraph 7.5.2 of the Planning Memorandum.
- 3.1.4 Sections 3.4 – 3.6 provide information on other aspects of the works to assist in understanding the context of planned construction methodology and how EMR controls apply to the works being submitted for approval. The information in Sections 3.4 – 3.6 is not for approval under Schedule 17.

### 3.2 Works for Approval

- 3.2.1 The relevant scheduled works as set out under Schedule 1 to the Act to which this Schedule 17 submission relates is:

Parish of Stoneleigh—

*“Work No. 2/172 - An access road commencing at a point 90 metres east of the bridge carrying the Coventry to Leamington Spa Line over the access road to Millburn Grange and terminating at a point 210 metres north-east of that bridge. Work No. 2/172 includes a bridge over Work No. 2/146.”*

It also crosses the following scheduled work:

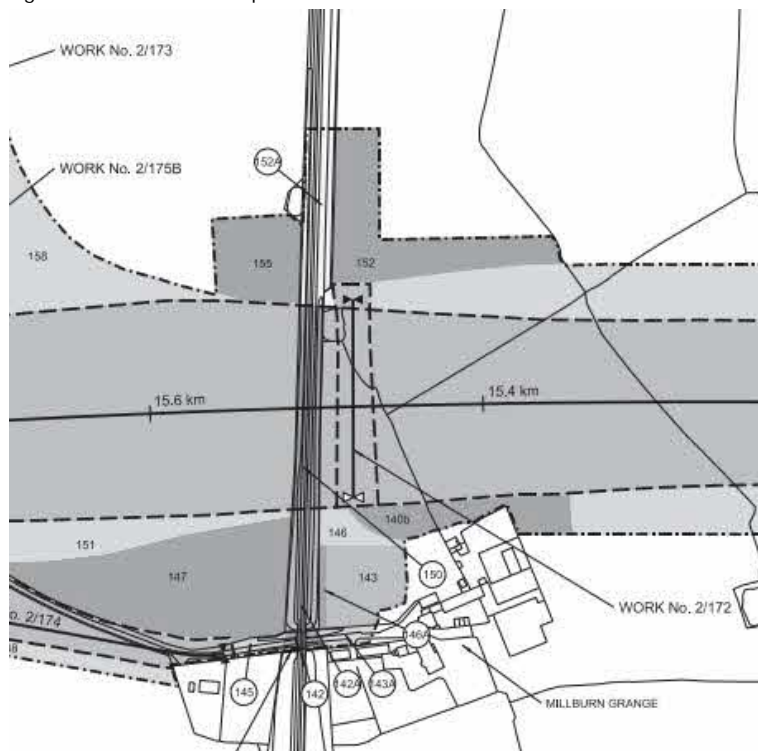
County of Warwickshire, District of Stratford-on-Avon, Parishes of Long Itchington and Ufton, District of Warwick, Parishes of Offchurch, Cubbington, Weston under Wetherly, Stoneleigh, Kenilworth and Burton Green, Metropolitan Borough of Solihull, Parish of Berkswell—

*“Work No. 2/146 - A railway (21.57 kilometres in length) partly in tunnel and partly on viaduct commencing by a junction with the termination of Work No. 2/133 and passing north-westwards and terminating at a point 270 metres north-west of the*

*bridge carrying Waste Lane over Kenilworth Greenway. Work No. 2/146 includes viaducts over the River Leam, Finham Brook and Work No. 2/175 and bridges over the Grand Union Canal, Work No. 2/151 and the River Avon.”*

3.2.2 **Figure 1** below is an extract from sheet 2-111 respectively of Volume 2.2. Calvert – Burton Green of the Replacement Plans as amended in Select Committee. The Limits of Deviation (LoD) for Work 2/172 listed in paragraph 3.2.1 as it crosses Work 2/146 can be seen within this extract.

Figure 1: Extract from Replacement Sheet 2-111



3.2.3 The works submitted for approval comprise:

Building – Millburn Grange Farm Accommodation Overbridge including parapets;

Earthworks including wingwalls to facilitate the overbridge; and

Fences and Walls – Safety guardrails situated on top of the wingwalls, approximately 1.08m in height and vehicle restraint systems (VRS).

3.2.4 The proposed works are shown on the General Arrangement Plan (Drawing Number: 1MC08-BBV\_MSD-PL-DGA-NS01\_NL03-142232).

3.2.5 The works submitted for approval are adjoined by Kenilworth Cutting to the east and Coventry to Leamington Spa Rail Overbridge to the west which are to be consented via separate Schedule 17 submissions. At the time of writing this Written Statement, Kenilworth Cutting Schedule 17 was submitted to the Local Planning Authority for pre-application comments in August 2021. The Coventry to Leamington Spa Rail Overbridge Schedule 17 consent (W/23/0435/HS2) was granted by the Local Planning Authority in July 2023. Canley Brook Pumping Station is also located nearby to the west of the works. This Schedule 17 has not been issued to the LPA at the time of writing this Written Statement.

#### **Building: Overbridge**

3.2.6 The overbridge structure will comprise a concrete deck and precast concrete parapets which are approximately 2.1m in height from their inner face. The structure will be 7.83m wide from the outer edge of each parapet either side and 20.07m in length. The carriageway will be 3.5m wide and footpaths located either side of the carriageway will be 1.5m wide resulting in a total width of 6.5m. Each section of parapet will be 3m wide and a height of 2.1m to provide edge protection for vehicles and pedestrians. The parapet thickness varies but will be approximately 750mm at its thickest point and approximately 20mm at its least thick point. The height of Millburn Grange Farm Accommodation Overbridge will be 6.42m from the HS2 railway track below.

3.2.7 The accommodation track will run across the overbridge providing farm access for Millburn Grange Farm to the east side of the HS2 railway track as well as ongoing maintenance access down the east side of Kenilworth Cutting. To the east and west, the overbridge will transition to the existing ground level and will connect to existing tracks. The accommodation track and footpaths on the overbridge will be surfaced with asphalt. To the west side, an unbound/gravel access will adjoin the overbridge at existing ground level and will provide access to Millburn Grange Farm and associated buildings.

3.2.8 Highway drainage will be incorporated into a combined kerb drainage system which will drain off the overbridge. The kerb will carry water run-off from the overbridge connecting to a below ground pipe and over-the-edge filter draining off the bridge. It will then discharge to a railway perimeter a ditch and an existing field ditch. The kerb will consist of pre-cast concrete units.

3.2.9 In terms of concrete finishes, the parapets will be Class F3. Class F3 concrete is of a smooth and of a uniform texture and appearance with any imperfections being made good. The wingwalls and concrete abutment (air side) shall be Class F2 with a finish which will be left as struck with imperfections such as fins and surface

discolouration will be made good. The wingwalls and concrete abutment (soil side) shall be Class F1 which will be a dense finish. The top of the concrete deck will be Class U4 and the concrete deck soffit will be Class F2. Class U4 shall be smooth and of a uniform surface. Further detail of the finishes and materials are provided in the materials schedule accompanying this Schedule 17 submission (Document Reference: 1MC08-BBV\_MSD-PL-SCH-NS01\_NL03-100004).

### Fences and walls

- 3.2.10 Safety guardrails are located along the top of the reinforced concrete wingwalls tying into Kenilworth Cutting earthworks. The safety guardrails will be approximately 1.08m in height. The material of the safety guardrails will be hot dip galvanised steel. Fencing is to be consented separately via the Kenilworth Cutting Schedule 17 submission.
- 3.2.11 There will also be VRS located either side of the approach embankments to the east and west of the overbridge. The VRS consist of galvanised steel fencing barriers which will run from the outer ends of the embankments to the parapets located on the overbridge. The VRS will be approximately 600mm high and approximately 250mm wide and its location has been optimised for road safety.

### Earthworks

- 3.2.12 The overbridge will span Kenilworth Cutting. The overbridge approach embankments will have a maximum height of 1.3m. The embankment slope gradients will be at a maximum of 1v:2h at the cones of the embankment around the bridge parapets and will shortly transition to a 1v:2.5h slope along the embankment. To the south side of the overbridge reinforced concrete wingwalls will be splayed at 15 degrees to retain the cutting. Earthworks to the side of the wingwalls and abutment wall will consist of technical granular backfill with Kenilworth Cutting earthworks (to be consented separately) being constructed over the top of this. The technical granular backfill consists of 6N/6P standard fill (compacted granular soils).

## 3.3 Indicative Mitigation

- 3.3.1 The Planning Memorandum (paragraph 7.5.2) states: "*When designs of HS2 works are submitted for approval, the nominated undertaker shall, where reasonably necessary for the proper consideration of the design proposed, provide an indication or outline of the appropriate mitigation measures (if any) which it intends to submit subsequently under paragraphs 9 or 12 of the Planning Conditions Schedule...*" and "*.... While not material to approvals under paragraph 2 or 3, this information will provide reassurance in advance of the request for approval under paragraph 9 that the mitigation is appropriate, and will present an opportunity to raise concerns.*"



- 3.3.2 No Landscape and Environmental Masterplan is submitted under this Schedule 17 Plans and Specifications application for consultation. Formal consultation will instead be sought from the local authority on mitigation proposals via a separate Bringing into Use (BIU) consent. Details of the indicative mitigation relevant to the design proposed in this application is described in paragraph 3.3.19 of this Written Statement for information. However, further details of the proposed mitigation will be set out within the Landscape and Environmental Masterplan for the Kenilworth Cutting Schedule 17 Plans and Specifications application and as part of future BIU applications.
- 3.3.3 Details of planting and soft landscaping do not require approval of Plans and Specifications under paragraphs 2 or 3 of Schedule 17.
- 3.3.4 The mitigation will comprise part of the overall mitigation scheme in relation to the scheduled works listed in Section 3.2 above.

### Noise

- 3.3.5 Paragraph 7.5.2 of the Planning Memorandum, states: “*..Where the works for approval will have a mitigating effect in relation to operational noise from the railway or new roads, the nominated undertaker will provide information to show, so far as is reasonably practicable at that stage in the design process, how the noise mitigation performs and the expected conditions. While not material to approvals under paragraph 2 or 3, this information will provide reassurance in advance of the request for approval under paragraph 9 that the mitigation is appropriate and will present an opportunity to raise concerns.*”
- 3.3.6 A noise demonstration report (NDR) (Document Reference: 1MC08-BBV\_MSD-EV-REP-NS01\_NL03-100088) for the Stoneleigh, Glasshouse Wood and Canley Area incorporates Millburn Grange Farm Accommodation Overbridge and has been produced to accompany the Schedule 17 application that provides this information and includes the following:
- a) A description of the additional mitigation options considered to control noise;
  - b) Plans showing the surrounding environment and receptor positions;
  - c) Details of the methodology used in predicting noise and vibration levels;
  - d) Assumptions relating to the acoustic performance of rolling stock and track;
  - e) Tables setting out the predicted levels of operational noise at all individual receptors where the lowest observable adverse effect level (LOAEL) is likely to be exceeded.

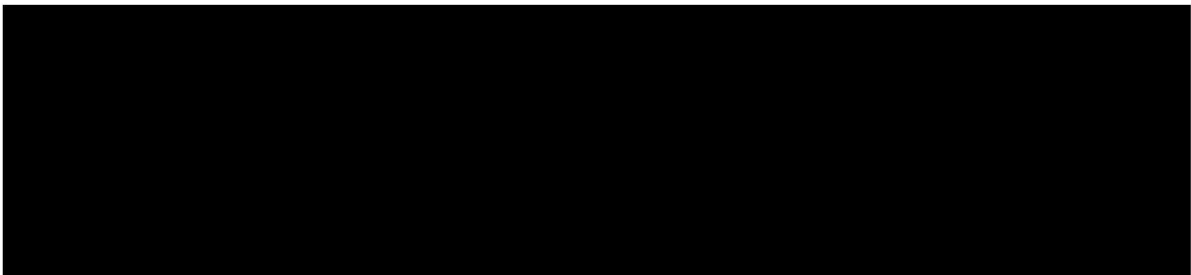
- 3.3.7 The predicted levels of noise provided in line with item e) above show that none of the operational noise impacts in the vicinity of the overbridge are 'environmentally significant.'
- 3.3.8 The NDR shows that no additional mitigation in the form of noise barriers is required in the vicinity of the overbridge. Mitigation will be provided along the railway line approximately 0.6km south of the overbridge consisting of a 2m high noise barrier and 0.25km to the north consisting of a 4m high noise barrier. However, as noted above no mitigation is proposed relating to the overbridge itself.

### Ecology

- 3.3.9 There are no statutory designated sites or ancient woodlands within or directly adjacent to the overbridge. There are no veteran or exceptional trees or 'important' hedgerow located within the site boundary.
- 3.3.10 The overbridge runs parallel with the KGLWS which is located 0.02km west, north and east of the overbridge. The KGLWS is associated with the Coventry to Leamington Spa rail line, which will sit above the HS2 railway track. LWS are identified and selected for their local nature conservation value and protect threatened species and habitats acting as buffers, stepping stones and corridors between nationally designated wildlife sites. LWS were designated following the publication of the ES and therefore any impacts on the KGLWS were assessed under the habitat section of the ES. There are no other non-statutory designated sites within or adjacent to the overbridge. The other sites identified in paragraphs 2.1.6-2.1.9 will not be impacted by the overbridge.
- 3.3.11 The baseline habitats recorded in the ES within the site boundary of the overbridge include an arable field, an improved grassland field and two intact species poor hedgerows.
- 3.3.12 The ES assumes total clearance of the habitats within the land required for construction, however, the detailed design process minimises loss of habitat. Landscape and ecology mitigation planting to mitigate and compensate for the loss of habitat is proposed in the vicinity of the overbridge. Tree and shrub planting is proposed on the outer slopes of the landscape earthworks within Kenilworth Cutting which will screen and strengthen the bat commuting corridor along the railway and low maintenance grassland is intended on the earthworks leading to the overbridge either side. The planting will also provide habitat connectivity between the Canley Brook to Crackley area for a range of species including birds, bats, and badgers.

- 3.3.13 However, further details will be set out within the Landscape and Environmental Masterplan for the Kenilworth Cutting Schedule 17 Plans and Specifications application and as part of future BIU applications.
- 3.3.14 Bat surveys have identified roosting bats in trees and buildings by Canley Brook, Millburn Grange Farm and Dalehouse Farm. The closest identified bat roost is located in a tree in Millburn Grange Farm approximately 0.07km south of the overbridge. This roost is being retained. The bats roosting at Millburn Grange Farm and Dalehouse Farm are likely to commute along two assumed 'likely key commuting routes' within the overbridge area.
- 3.3.15 One of the commuting routes crosses the site boundary of the proposed overbridge (along an existing hedgerow) and joins with the other commuting route which is adjacent to the Coventry to Leamington Spa rail line. The Coventry to Leamington Spa Overbridge, once constructed, will run over HS2 railway track and this existing commuting route will be retained.
- 3.3.16 To avoid or reduce the risk of bat mortality on the railway and reduce habitat severance impacts on bats, the landscaping planting proposals around the overbridge will help guide bats to the existing maintained flight line adjacent to the Coventry to Leamington Spa rail line. The overbridge may also provide a crossing point for bats (See Elevations A and B plan, Drawing Reference: 1MC08-BBV\_MSD-PL-DEL-NS01\_NL03-142234) as a linear feature that crosses over the top of HS2 railway track.
- 3.3.17 Great crested newts (*Triturus cristatus*) (GCN) have been recorded within 0.50km of the overbridge. Any GCN mitigation works associated with the overbridge have been completed under WP 054 -Kenilworth - AMP 70 – Method Statement for Works under HS2 Organisational GCN Licence (Document Reference: 1EW04-LMJ-EV-MST-NS01\_NL03-054005) as part of the Early Works Contract (EWC). During operation, there will be minimal loss of available terrestrial habitat for GCN when compared with the wider scheme due to the relatively small size of the overbridge. It is not considered that the GCN population will be fragmented by the overbridge or the HS2 railway track.

3.3.18





### **Landscape**

3.3.19 Proposals include landscape earthworks to the south of the overbridge to be situated alongside the engineering earthworks at Kenilworth Cutting. As noted in paragraph 3.3.12, tree and shrub planting is proposed on the outer slopes of the landscape earthworks within Kenilworth Cutting for visual screening and strengthening of the bat commuting corridor along the railway whilst low maintenance grassland is intended on the earthworks leading to the overbridge either side.

3.3.20 However, further details of planting will be set out within the Landscape and Environmental Masterplan for the Kenilworth Cutting Schedule 17 Plans and Specifications application and as part of future BIU consents.

### **Heritage**

3.3.21 The works described in this Written Statement will not have any impact on the designated heritage assets listed in paragraph 2.1.11-2.1.15. As such no mitigation is required.

### **Archaeology**

3.3.22 No design mitigation is required based on the findings of the EWCs archaeological investigations. Details of archaeological investigation undertaken to enable construction works can be found in paragraph 3.5.3.

## **3.4 Construction Method**

3.4.1 The works subject to this request for approval of Plans and Specifications will be undertaken in accordance with the HS2 Code of Construction Practice (CoCP) and the Class Approval issued by the Secretary of State (March 2017).

3.4.2 This section summarises the general construction methodology and the main temporary works arrangements. The arrangements described may alter, are for information and background only and do not form part of this request for approval.

3.4.3 The overbridge is expected to be constructed in the following high-level sequence:

Excavate to formation;

Construct working platform;

Construct ground slab;

Construct abutment walls;

Construct wingwalls;

Construct deck slab;

Install parapets;

Place structural backfill;

Install roadwork earthworks; and

Install road furniture.

3.4.4 The temporary construction compound that will manage the construction of the overbridge will be the Coventry to Leamington Spa Rail Overbridge Satellite Compound.

3.4.5 Lorry Route consents have been obtained by the EWC.

3.4.6 Consultation will be undertaken with local stakeholders on traffic management during construction.

## 3.5 Historic Environment

3.5.1 As set out within the HS2 Heritage Memorandum (part of the HS2 Environmental Minimum Requirements), a route-wide generic written scheme of investigation: Historic Environment Research and Delivery Strategy (GWSI: HERDS) has been prepared in consultation with Historic England (HE) and the LPAs along the route. It sets out the research framework and general principles for design, evaluation, investigation, recording, analysis, reporting and archive deposition to be adopted for the design development and construction.

3.5.2 The HS2 Heritage Memorandum also sets out how the historic environment (including heritage assets and their setting) will be addressed during design. The HS2

Environmental Memorandum sets out the approach to landscape and visual mitigation which takes account of the historic environment.

### **Archaeology**

3.5.3 The arrangements for the management of archaeology during construction are not a matter for approval under Schedule 17.

3.5.4 Following the guidance of the ES and HERDS the area has undergone archaeological trial trenching and mitigation by the EWC. The final trial trenching report for this area has been produced (Document Reference: 1EW04-LMJ\_WEX-EV-REP-NS01\_NL03-029004). No archaeological remains were discovered in the LoD/Limit of Land to be Acquired or Used (LLAU). As such, no further archaeological works are required in this area to mitigate the works described in this Written Statement.

3.5.5 The unexpected finds procedure (Document Reference: 1MC08-BBV\_MSD-EV-PRO-N000-100001) will be employed to mitigate any unexpected archaeology that has not previously been recorded by EWC.

### **Built Heritage**

3.5.6 There are no designated or non-designated built heritage assets within the LOD/LLAU or in the surrounding area. Therefore, no relevant works such as historic building recording, movement monitoring or setting assessment has been considered necessary under Schedule 18 of the Act or through the GWSI:HERDS process.

## **3.6 Environmental Management During Construction**

3.6.1 The Environmental Memorandum (part of the HS2 Environmental Minimum Requirements) sets out the arrangements for the management of environmental issues during construction and the CoCP sets out specific details and working practices that apply. The CoCP is supported by Local Environmental Management Plans (LEMPs) which include specific measures by topic, relevant to each relevant local authority area. The LEMP relevant to the works subject to this Schedule 17 submission is High Speed Rail (London-West Midlands) Local Environmental Management Plan Warwick District Council (December 2017) and can be found here: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/669187/warwick\\_local\\_environment\\_management\\_plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/669187/warwick_local_environment_management_plan.pdf)

3.6.2 Environmental management arrangements during construction do not form part of this request for approval of Plans and Specifications under Schedule 17.

### Dust

- 3.6.3 As set out in Environmental Minimum Requirements Annex 1: Code of Construction Practice, “*The nominated undertaker will require its contractors to control and limit dust, air pollution, odour and exhaust emission during the construction works as far as reasonably practicable and in accordance with best practicable means (BPM)*”.

### Noise

- 3.6.4 Best Practicable Means will be applied during construction works to minimise noise (including vibration) at neighbouring residential properties and other sensitive receptors (including local businesses and quiet areas designated by the local authority) arising from construction activities.

## 4 Design Approach and Rationale

### 4.1 Introduction

4.1.1 The overbridge is a single span integral overbridge structure. The structure will be 7.83m wide from the outer edge of the parapets either side, 6.50m wide from the footpaths and carriageway and 20.07m in length. The headroom clearance between the overbridge and HS2 railway track below will be 6.42m.

4.1.2 The overbridge will carry an accommodation track across the HS2 railway track to the east side of the HS2 railway track, providing farm access for Millburn Grange Farm as well as ongoing maintenance access down the east side of Kenilworth Cutting (which is to be consented separately).

4.1.3 The overbridge is ancillary to scheduled work No. 2/146 and is part of Work No. 2/172 and as far as possible, has been integrated with the local context. The position of the overbridge is largely determined by function and the LoD for the scheduled works.

### 4.2 Design Rationale

4.2.1 All HS2 developments have been designed to the highest standard. The HS2 Design Vision considers three core design principles consisting of People, Place and Time. The overbridge is part of a scheduled work and therefore has been subject to design refinement, assuring that it produces minimal negative impact where possible. It has been designed to provide suitable access for Millburn Grange Farm and maintenance access along the eastern side of Kenilworth Cutting.

### 4.3 Design Constraints

4.3.1 The following constraints have influenced the proposed design of the overbridge and associated works:

Requirement to provide access for Millburn Grange Farm across the HS2 railway track;

Requirement to keep the works within the LoD and LLAU;

Requirement to provide sufficient headroom clearance between the overbridge and HS2 railway track ; and



Requirement to consider the surrounding environment and context and integrate the overbridge into the surrounding where possible.

### Design Evolution Since Final Preliminary Design

- 4.3.2 The overbridge has been designed for its function in providing suitable access for Millburn Grange Farm across the HS2 railway tracks and for maintenance access along Kenilworth Cutting. An extract of the Final Preliminary Design (FPD) shown in Phase One ES Volume 2 CFA map book (CFA 18 Stoneleigh, Kenilworth and Burton Green, Reference ES 3.2.1.18) is provided in **Figure 2** below. The design of the overbridge has undergone some changes since FPD.
- 4.3.3 A key change since FPD relates to the span and width of the proposed overbridge. At FPD, the overbridge was proposed to be a 3 span, 5.5m wide overbridge. The design was amended to be a single span, 6.5m overbridge (from footpaths and carriageway) as it was determined that the overbridge designed in this way could be integrated with the adjacent Coventry to Leamington Spa Overbridge. This is further discussed in Section 4.4 and 4.5, below.

Figure 2: Extract of CFA map book Stoneleigh, Kenilworth and Burton Green, ES Map Number CT-06-096



## 4.4 Options Considered

- 4.4.1 A 'sift' process was carried out through a series of qualitative value engineering workshops to consider three bridge forms for the overbridge, the options considered were:

Option 1: Multi span deck with precast I/T beams;

Option 2: A cast in-situ box structure; and

Option 3: Steel composite construction.

## 4.5 Selected Option

4.5.1 The selected option taken forward was a cast in-situ box structure, Option 2. Option 2 was considered to be the most effective construction for the span length required. Option 1, a multi span deck, and Option 3, a steel composite construction, were rejected because the selected option was most appropriate for its function, location and ability to be integrated with the adjacent Coventry to Leamington Spa Rail Overbridge. Option 3 was also considered to be economically unviable in comparison to the other options.

## 4.6 Consideration Against the Relevant Ground for Refusal in the Schedule 17

4.6.1 The proposed development includes a range of activities for which approval of Plans and Specifications is required, in line with Schedule 17 of the Act. These activities fall into the following categories:

Building: Overbridge;

Earthworks including wingwalls; and

Fences and Walls: Safety guardrails and VRS

### **Building: Overbridge**

4.6.2 As detailed in Section 3 of this Written Statement, a building (the overbridge) is proposed within the site boundary.

4.6.3 Possible grounds for refusal relating to buildings are set out in Section 2, paragraph 5 of Schedule 17. These are considered in **Table 3** below:

Table 3: Building – Assessment of Proposed Development Against Possible Grounds for Refusal

Possible Grounds for Refusal	Assessment of Proposed Development
<p>That the design or external appearance of the building ought to be modified— (i) to preserve the local environment or local amenity,</p>	<p>The overbridge is situated within the LoD. The overbridge provides farm access for nearby Millburn Grange Farm to the east side of the HS2 railway track, as well as maintenance access to Kenilworth Cutting. The carriageway will adjoin the Millburn Grange Farm access road to the west. An access will also adjoin the carriageway at existing ground level to the west to provide further access for Millburn Grange Farm which will be unbound/gravel. The overbridge and access will thus preserve the amenity of the farm. The closest residential properties, excluding Millburn Grange Farm, are situated 0.45km away and are not in the vicinity of the overbridge.</p> <p>The overbridge has a headroom clearance between it and the HS2 railway track of 6.42m. The overbridge has been located at this height to achieve the appropriate elevation from the HS2 railway track. The H4A parapets are approximately 2.1m in height. The structure will be 7.83m wide in total, 6.50m wide from the footpaths and carriageway and 20.07m in length which is considered appropriate for its function and location. Access will also be provided for Millburn Grange Farm which will adjoin existing tracks.</p> <p>The overbridge has been designed to retain functionality whilst allowing for planting either side to screen the overbridge and minimise visual impact where possible. As noted in paragraph 3.3.13, further details of the planting will be set out within the Landscape and Environmental Masterplan for the Kenilworth Cutting Schedule 17 Plans and Specifications application and as part of future BIU consents.</p> <p>Given that residential receptors, excluding Millburn Grange Farm, are not within the vicinity of the overbridge it is considered the overbridge design is appropriate for its purpose.</p>

Possible Grounds for Refusal	Assessment of Proposed Development
(ii) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or	The overbridge access track will not adjoin the public highway and is being constructed to maintain access for the farm and therefore it will not result in any prejudicial effects on road safety or the free flow of traffic.
(iii) to preserve a site of archaeological or historic interest or nature conservation value.	<p>As discussed in paragraph 3.3.21-3.3.22 of this Written Statement, the works will not have any impact on the heritage assets listed. No archaeological remains were discovered in the LoD/LLAU. As such, no further archaeological works are required in this area to mitigate the works described in this Written Statement. This is further discussed in paragraphs 3.5.3-3.5.5.</p> <p>In terms of nature conservation, the overbridge is not within an ecologically designated or non-designated site.</p> <p>The ES assumes total clearance of habitats within the land required for construction, however landscape and ecology mitigation planting is proposed in order to mitigate and compensate for the loss of any habitat. Proposals include landscape earthworks to the south of the overbridge to be situated alongside the engineering earthworks at Kenilworth Cutting. As noted in paragraph 3.3.12, tree and shrub planting is proposed on the outer slope of the landscape earthworks within Kenilworth Cutting for visual screening and strengthening of the bat commuting corridor along the railway, whilst low maintenance grassland is intended on the earthworks leading to the overbridge either side. However, further details will be set out within the Landscape and Environmental Masterplan for the Kenilworth Cutting Schedule 17 Plans and Specifications application and as part of future BIU consents.</p> <p>Therefore, the works seek to limit impact on the surrounding environment and there is no cause for the proposed design to be altered or opportunity to do so while retaining functionality.</p>
(b) the development ought to, and could reasonably be carried out elsewhere within the development's permitted limits.	The location of the overbridge allows farm access for Millburn Grange Farm and accords with the anticipated needs of future maintenance activities along Kenilworth Cutting

Possible Grounds for Refusal	Assessment of Proposed Development
	Therefore, there is no alternative location that would be considered more suitable for its function as farm access.

## Earthworks

4.6.4 As detailed in Section 3 of this Written Statement, minor earthworks associated with formation of the overbridge which carries the access track are proposed.

4.6.5 Possible grounds for refusal relating to earthworks are set out in Section 3, paragraph 6 of Schedule 17. This is considered in **Table 4** below:

Table 4: Earthworks – Assessment of Proposed Development Against Possible Grounds for Refusal

Possible Grounds for Refusal	Assessment of Proposed Development
<p>That the design or external appearance of the works ought to, and could reasonably, be modified—</p> <p>(a) to preserve the local environment or local amenity,</p>	<p>The earthworks to facilitate the overbridge are of a relatively minor nature in the context of the construction of the railway and as such are not considered to result in a significant impact on the local environment or amenity.</p> <p>The earthworks are required to form the overbridge structure and therefore, there is no overriding reason that these earthworks ought to, or could reasonably be, modified to preserve the local environment or local amenity.</p>
<p>(b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or</p>	<p>The earthworks are located either side of the overbridge and as such will not impact any road. The earthworks have been situated in such a way as to support the formation of the overbridge.</p>
<p>to preserve a site of archaeological or historic interest or nature conservation value.</p>	<p>As discussed in paragraph 3.3.22 of this Written Statement, the works will not have any impact on the heritage assets listed. No archaeological remains were discovered in the LOD/LLAU. As such, no further archaeological works are required in this area to mitigate the works described in this Written Statement. This is further discussed in paragraphs 3.5.3-3.5.5.</p> <p>In terms of nature conservation, the overbridge is not within a designated or non-designated nature conservation site. Nature conservation is</p>

Possible Grounds for Refusal	Assessment of Proposed Development
	<p>discussed in further detail in Table 3 (iii) and paragraphs 3.3.9-3.3.18.</p> <p>The earthworks have been designed for functionality and it is considered there is no cause for the design to be altered or the opportunity to do so while retaining functionality.</p>
<p>If the development does not form part of a scheduled work, that the development ought to and could reasonably, be carried out elsewhere within the development's permitted limits.</p>	<p>The earthworks are required to facilitate the overbridge and as such changing the location of the earthworks would reduce their purpose or effectiveness.</p>

### Fences and Walls: Safety Guardrails and VRS

4.6.6 As detailed in Section 3 above, safety guardrails are proposed within the site boundary located on top of the concrete wingwalls. The VRS will be located either side of the approach embankments on the east and west side of the overbridge and are shown on the submitted General Arrangement (Drawing Reference: 1MC08-BBV\_MSD-PL-DGA-NS01\_NL03-142232).

4.6.7 One possible ground for refusal relating to fencing (safety guardrails) and walls (VRS) is assessed in **Table 5**, below.

Table 5: Fences - Assessment of Proposed Development Against Possible Grounds for Refusal

Possible Grounds for Refusal	Assessment of Proposed Development
<p>That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.</p>	<p>The proposed safety guardrails are located on top of the concrete wingwalls at approximately 1.08m in height. Given that the safety guardrails are required to be located on top of the wingwalls it is considered that these could not be located elsewhere in the development's permitted limits.</p> <p>The location of the VRS are proposed to provide crash protection and road safety for vehicles using the overbridge. The proposed location of the VRS are considered most logical and there is no clear argument that they ought to be relocate</p>

## Conclusion

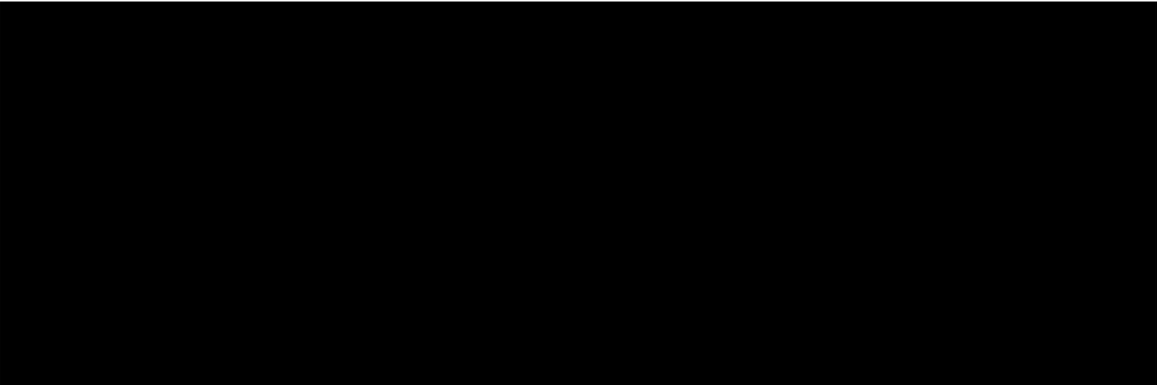
4.6.8 Taking the above into account, it is considered that the overbridge meets the requirements of Section 3 of the HS2 Act. Planting and landscape mitigation will support the integration of the overbridge into the surrounding area and further details of this will be set out within the Landscape and Environmental Masterplan for the Kenilworth Cutting Schedule 17 Plans and Specifications application and as part of future BIU consents. The works seek to limit impact on the surrounding environment and amenity whilst also meeting HS2's operational, maintenance, safety, efficiency, buildability, and best value requirements, as detailed in Information Paper D1: Design Policy<sup>8</sup>. Therefore, there are no reasonable modifications that can be made to the scheme and no part of the scheme would be better located elsewhere within the permitted limits.

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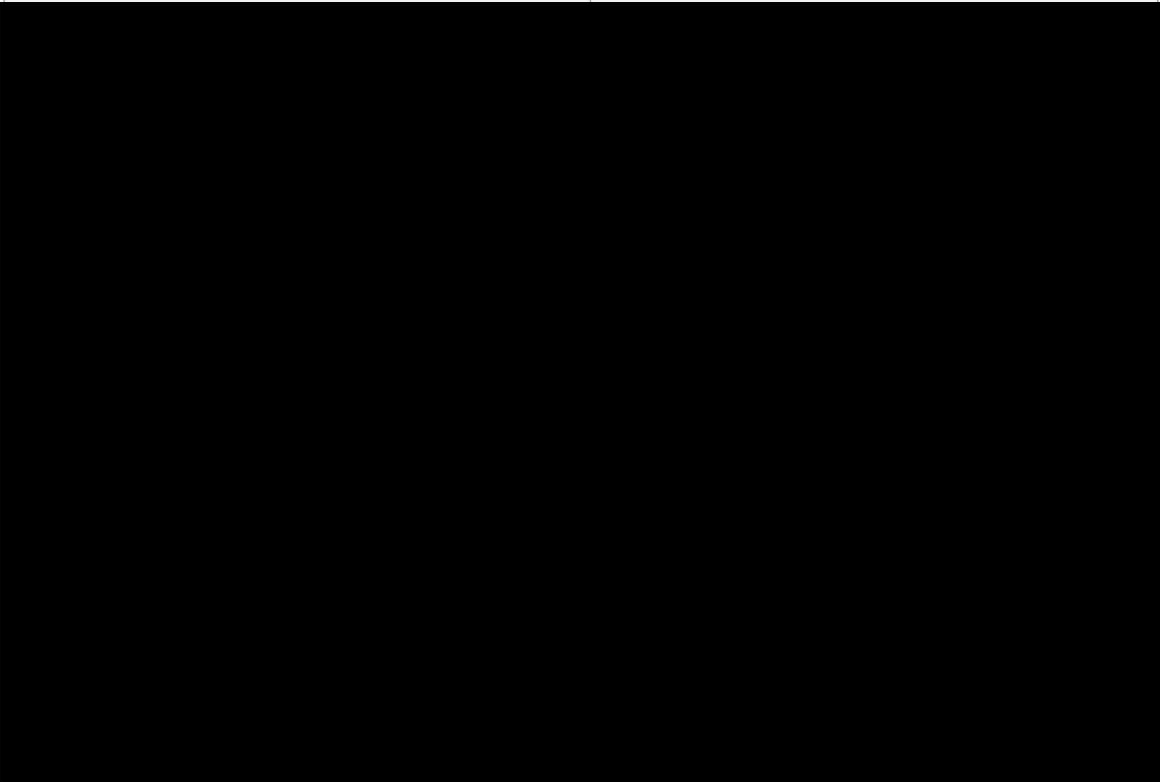
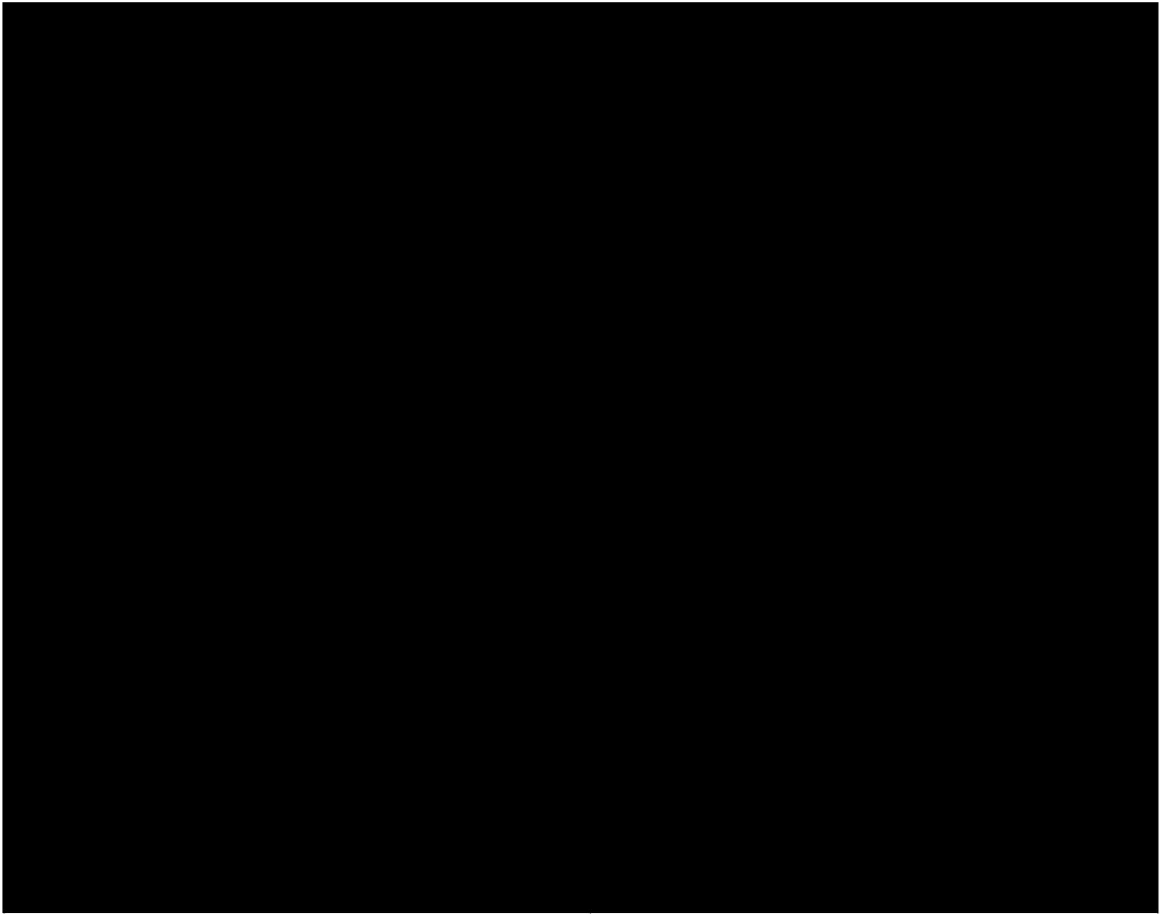
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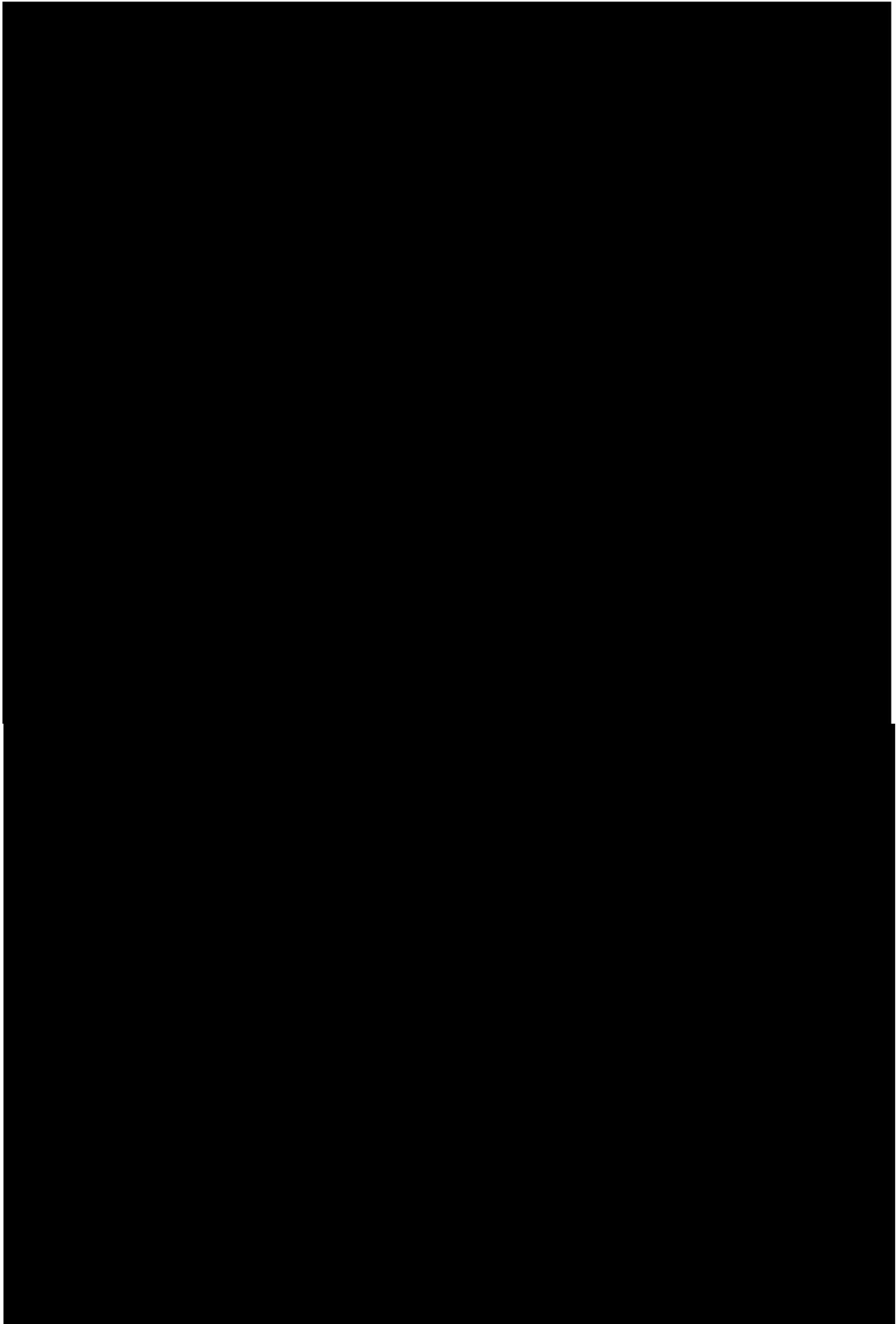
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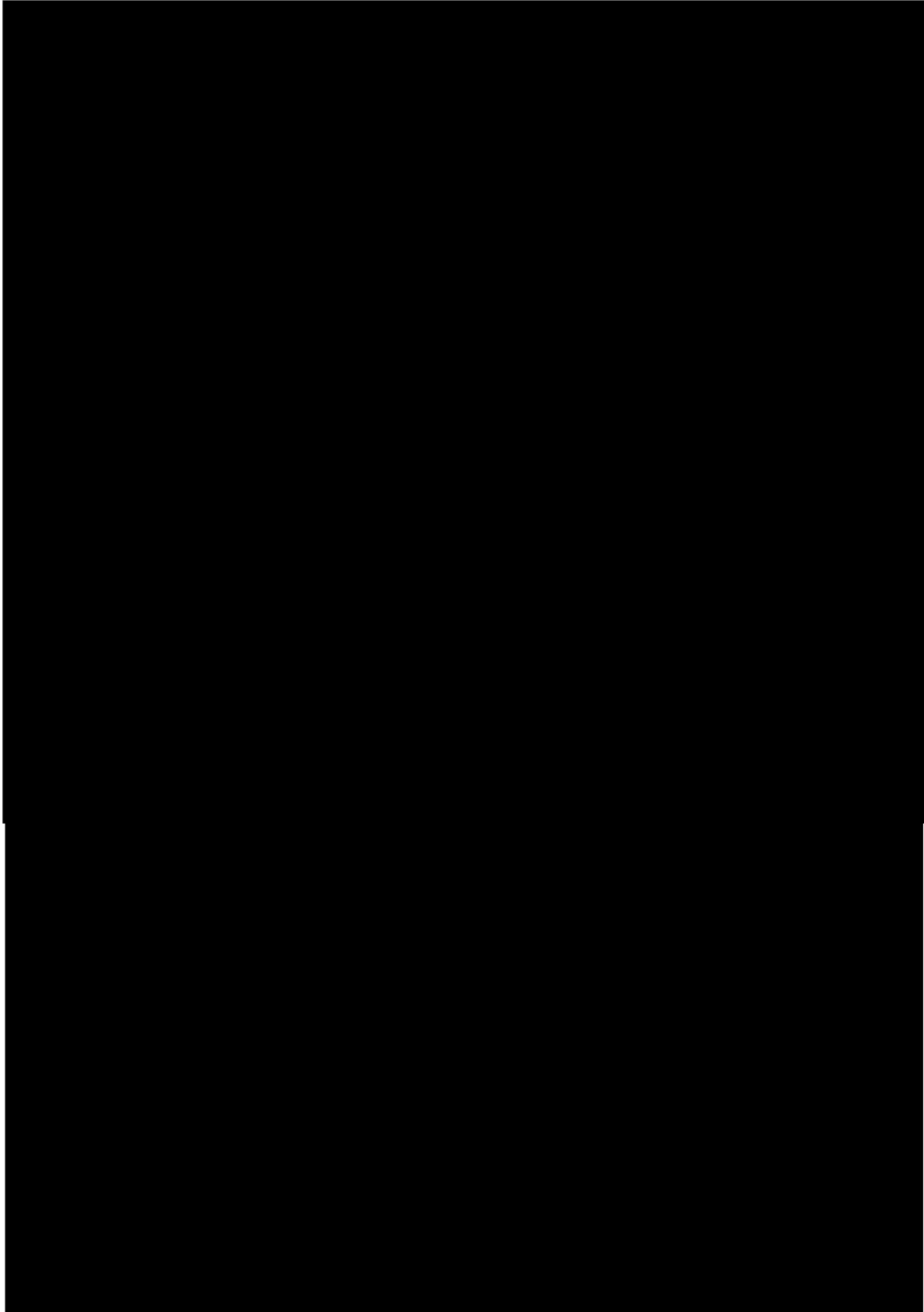
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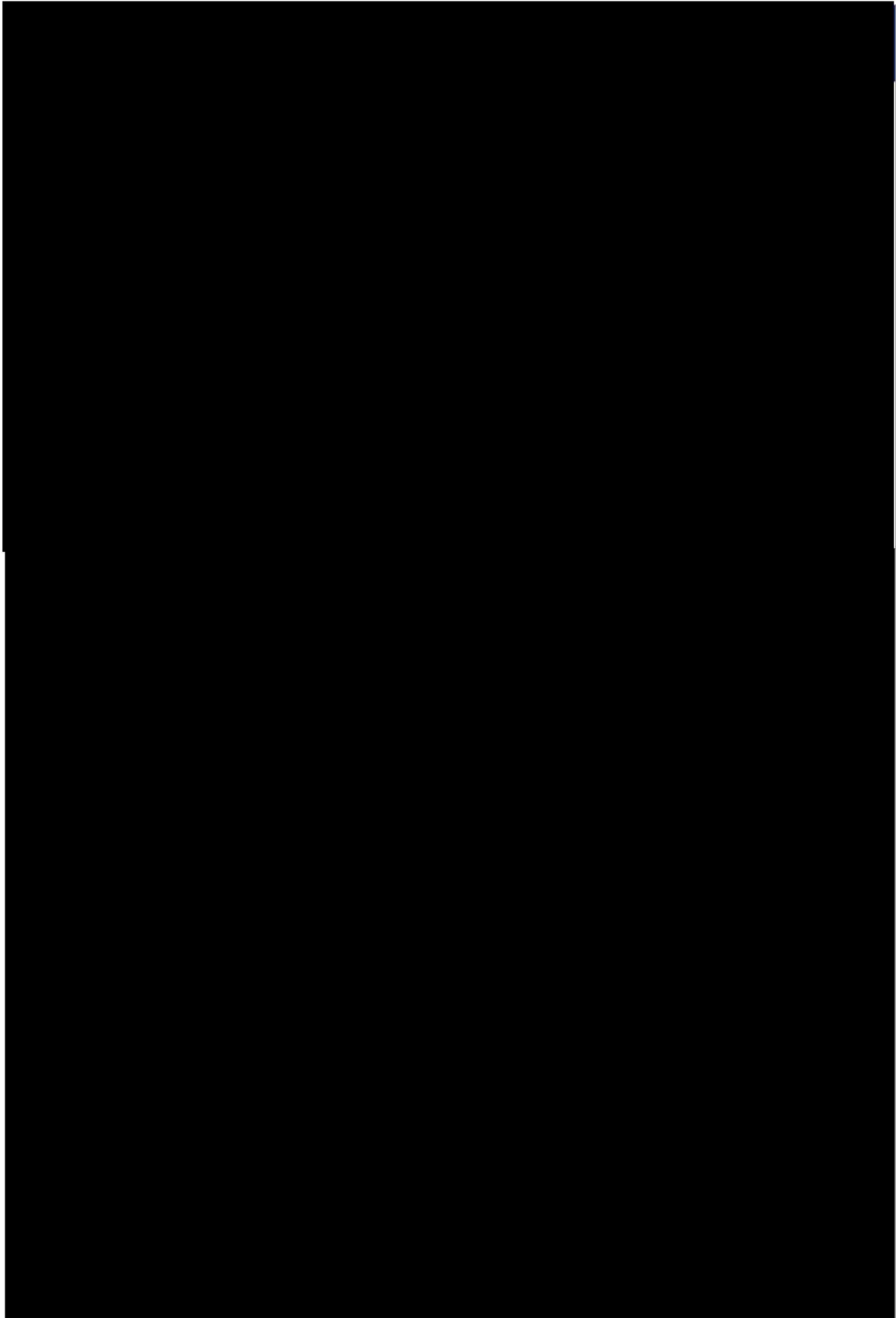


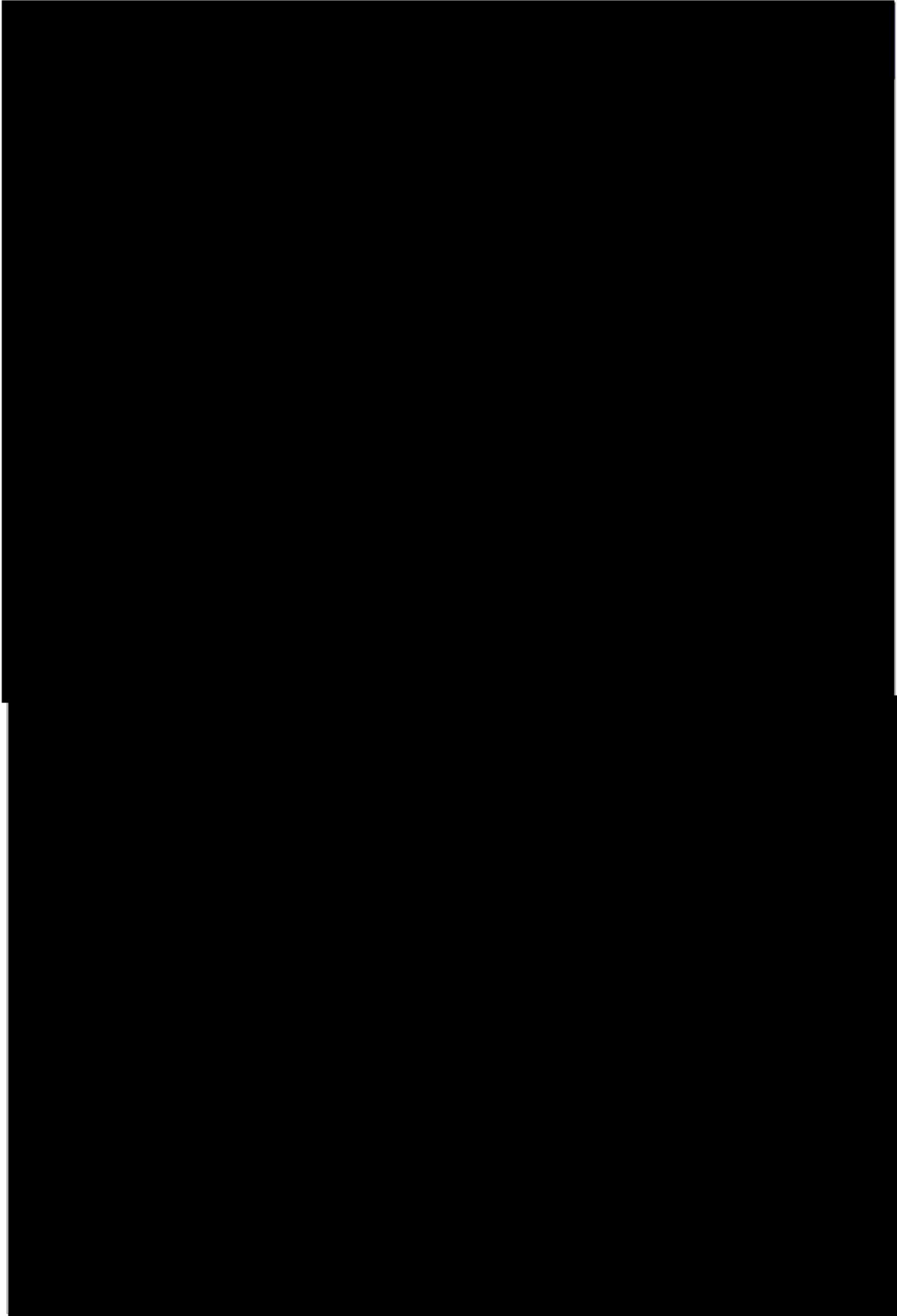


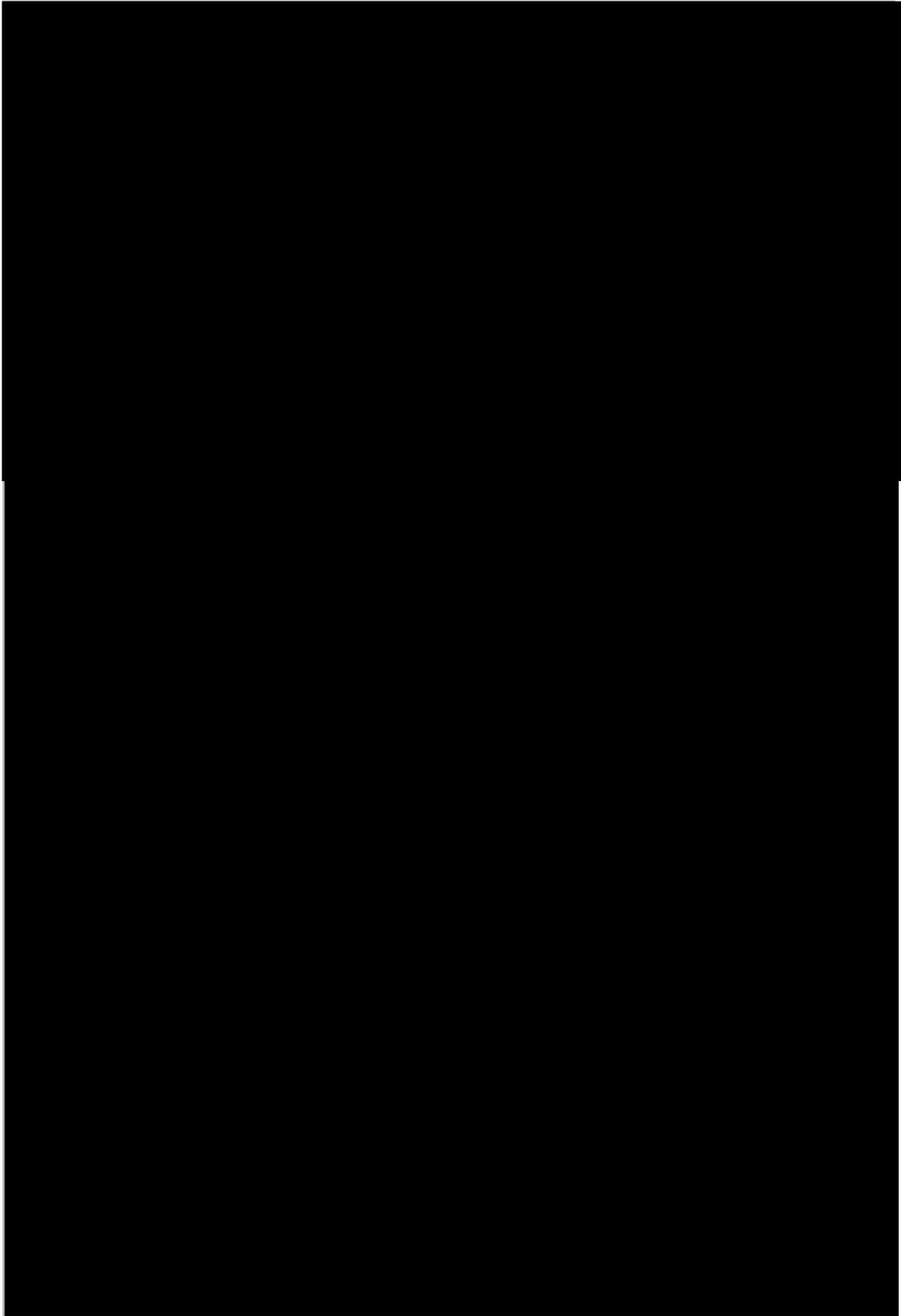














## 6 Construction Programme

6.1.1 A high level programme for the works subject to this submission and how they fit into the overall programme for other works in the area is contained in **Table 8** below. The programme for works on site may vary from the indicative dates shown.

Table 8: Proposed Programme and Sequence of Works

Anticipated Start on Site Date (quarter/year)	Activity	Estimated Completion of Works (quarter/year)
Q4 2023	Excavate to formation	Q4 2023
Q1 2024	Construct working platform	Q1 2024
Q2 2024	Construct ground slab	Q2 2024
Q3 2024	Construct abutment walls	Q3 2024
Q4 2024	Construct wingwalls	Q4 2024
Q4 2024	Construct deck slab	Q4 2024
Q4 2024	Install parapets	Q1 2025
Q1 2025	Place structural backfill	Q1 2025
Q1 2025	Install roadwork earthworks	Q2 2025
Q2 2025	Install road furniture	Q2 2025



## 7 Other Consents

7.1.1 Other main consents likely to be required for the works are summarised in **Table 9** below. Consent requirements may alter during design development and further consents not identified in Table 9 may be required.

Table 9: Other Consent Requirements

Consent	Works Requiring Consent
HS2 Act, Schedule 33, Part 5	Below ground construction within principal (bedrock) aquifer.
HS2 Act, Schedule 33, Part 5	Canley Brook Viaduct. Below ground works, work within 8m of a river.
HS2 Act, Schedule 17	Kenilworth Cutting. Submitted to the LPA for pre-application comments.
HS2 Act, Schedule 17	Coventry to Leamington Spa Rail Overbridge. Approval granted by the LPA in July 2023 (W/23/0435/HS2).
HS2 Act, Schedule 17	Canley Brook Pumping Station. Not yet submitted to the LPA.
HS2 Act, Schedule 17: Bringing Into Use Request	Approval for matters relating to mitigating the effect of a Scheduled work.