

**APPLICATION FOR THE PROPOSED NETWORK RAIL (OLD OAK COMMON
GREAT WESTERN MAINLINE TRACK ACCESS) ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990: REQUEST FOR DEEMED PLANNING
PERMISSION**

**TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004
STATEMENT OF MATTERS**

This statement relates to the Public Inquiry to be held into the application by Network Rail Infrastructure Limited (“NR”) for the above-named Order under the Transport and Works Act 1992 (“TWA”) for

- (i) the above proposed Order under the TWA.
- (ii) a direction as to deemed planning permission for the development for which provision is included in the TWA Order (“the Order”).

The TWA Order application and the application for a direction as to deemed planning permission will be determined by the Secretary of State for Transport.

This statement sets out under rule 7(6) of the Transport and Works (Inquiries Procedure) Rules 2004 the matters about which the Secretary of State wishes to be informed about in his consideration of the applications. These matters are as follows:

1. The aims and objectives of, and the need for, the GWML Rail Systems Project (“the Scheme”).
2. The main alternative options considered by NR and the reasons for choosing the Scheme. This should include alternatives that did not require compulsory acquisition.
3. The likely impact of the Scheme on local businesses and residents during construction and operation. Consideration should include but is not limited to:
 - The impact on access arrangements including access to parking at the rear of Acton House
 - Impact on local amenities and the surrounding environment
 - Impact on noise, light and air quality
 - Impact resulting from an increase in HGV movements including on the local highway network.

4. Having regard to the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the Department for Levelling Up, Housing and Communities Guidance on the “Compulsory purchase process and the Crichel Down Rules” published July 2019:
 - a) whether all the land and rights over land which NR has applied for is necessary to implement the Scheme
 - b) whether there are likely to be any impediments to NR implementing the Scheme, particularly including the availability of funding.
 - c) whether there is a compelling case in the public interest to justify conferring on NR the powers to compulsorily acquire and use land for the purposes set out in the Order
 - d) whether the purposes for which the compulsory purchase powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected (having due regard to Human Rights Act)
5. An update on the current position in relation to Crown Land.
6. The conditions proposed to be attached to the deemed planning permission and their suitability.
7. Whether all statutory procedural requirements have been complied with.
8. Any other matters which may be raised at the Inquiry which may be important and relevant to the Secretary of State’s decision.

Notes

It should be noted that whilst the above matters appear, from the evidence so far available, to be the principal ones that need to be addressed, this statement does not preclude the Inquiry Inspector from hearing evidence on any other matters that he may consider relevant to the consideration of the application. In addition, this statement does not pre-determine the order in which the issues are to be addressed at the Inquiry, nor does the numbering imply any order of importance.

More detail on the Public Inquiry process can be found here:

<https://www.gov.uk/government/publications/transport-and-works-act-orders-a-brief-guide-2006/transport-and-works-act-orders-a-brief-guide>

Transport Infrastructure Planning Unit

Department for Transport

15 September 2023