

**THE NETWORK RAIL (OXFORD STATION PHASE 2 IMPROVEMENTS
(LAND ONLY) ORDER)**



**TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURES)
RULES 2004
THE NETWORK RAIL (OXFORD STATION PHASE 2
IMPROVEMENTS (LAND ONLY) ORDER)**

**TOWN PLANNING
SUMMARY PROOF OF EVIDENCE
COLIN FIELD BA(Hons) BTP MRTPI**

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1. INTRODUCTION

- 1.1. My name is Colin Field; I am employed by Network Rail Infrastructure Ltd (“Network Rail”) as the Town Planning Manager for the Wales and Western Region. I have worked with Network Rail since 2008, with 13 years of town planning experience on railway projects.

2. SCOPE OF EVIDENCE

- 2.1. Whilst this is a land only Order and does not require planning permission this summary proof of evidence provides an explanation of the town planning situation and has been written to provide confidence to the Inspector that there are no planning impediments to the delivery of the Oxford Station Phase 2 Improvements Project (hereinafter referred to as the ‘OSP2 Project’).
- 2.2. It explains why an application for planning permission is not required and why the OSP2 Project is permitted development under Part 18 of the GPDO (with the requirement of prior approval by the LPA). It provides examples where a similar consenting process has been followed on other Network Rail projects and explains the history in the progression and design development of this project.

3. DESCRIPTION OF WORK

- 3.1. The works comprised in the OSP2 Project can be summarised as follows:
- A new through platform on the west side of Oxford Station to form a second face to the existing Platform 4, including additional waiting facilities, toilets, retail units and construction of a new canopy along the platform length.
 - New track connections to the line from Platform 5, which will allow trains to leave both Platform 4 and 5 at the same time.
 - A new western station entrance from Roger Dudman Way, off Botley Road.
 - A new span over Botley Road to accommodate the additional downside platform. This will incorporate highways improvements to provide a dedicated cycleway and footpaths and improve the road gradient and clearances below the bridge to allow the use of normal height double decker buses, as well as passive provision for an additional span to the east.

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- Re-routing of Roger Dudman Way, removing the junction where it joins Botley Road and creating a new access onto Cripsey Road.
 - Replacement of road span of Sheepwash Bridge and adjoining footbridge structure on a new alignment.
- 3.2. As a result of the wider bridge structure at Sheepwash Bridge and retaining wall, the Co-op Nursery building will be impacted by the project, which will necessitate a permanent change to the Nursery building.

4. PERMITTED DEVELOPMENT AND PRIOR APPROVAL

- 4.1. Network Rail has extensive permitted development rights under Part 8 and Part 18 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) and does not require an application for full planning permission for the OSP2 Project. The Prior Approval application under Part 18 of the GPDO was submitted to and validated by Oxford City Council as Local Planning Authority (LPA) on 28 July 2021. It is now being considered under the LPA's application reference 21/02007/PA18.
- 4.2. The two previous applications submitted to the LPA to extend Oxford Station in 2010 and 2015 were both approved on the basis of Prior Approval under LPA ref 10/01414/CONSLT and 15/00096/PA18.
- 4.3. Part 18 of the GPDO is applicable to developments, which were initially authorised by an Act of Parliament. The station and existing associated railway land around it were constructed under various authorising Acts of Parliament.
- 4.4. Each of these Acts of Parliament bestows upon the railway company and its successors (Network Rail) the power to undertake development necessary to the running and management of the railway, including the erection, construction, alteration or extension of any building or bridge and the formation, laying out or alteration of a means of access to any highway used by vehicular traffic.
- 4.5. The proposed works are therefore permitted development. Paragraph A.2 of Part 18 sets out the process by which the LPA can give Prior Approval and comment on the proposals. It states:

The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that -

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- a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or*
- b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.*

- 4.6. The ES, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, provides an environmental assessment of the works during construction and operation, presenting the information required to consider the potential likely significant environmental effects of the project.
- 4.7. The assessment identified significant adverse and beneficial effects that the scheme would have on the environment, and the residual effect taking into account proposed mitigation.
- 4.8. The ES identifies that there is potential for both temporary and permanent effects of the project.
- 4.9. The ES concludes that the scheme would produce several significant beneficial effects including to the general amenity of the area and to views from Botley Road towards the western entrance, the improvements to public transport network and public highway.

5. PLANNING POLICY AND APPRAISAL

5.1. National Planning Policy Framework

- 5.1.1. The national policies contained within the NPPF clearly support the OSP2 Project which will deliver an improved sense of place at the western side of the station as well as delivering sustainable development by significantly improving the railway station and access to the station for cyclists and pedestrians. The three economic, social and environmental objectives are delivered by these current proposals.

5.2. National Policy Statement for National Networks

- 5.2.1. Again, this national policy document adds policy support to the OSP2 Project which once delivered will provide additional station efficiency for the present and capacity for the future. It will also future proof additional redevelopment of the station in the future including the aspiration for a station masterplan. The project will improve the

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station and will in turn support a competitive economy in the city and will improve connectivity to the rest of the county and more widely across the country.

5.3. Oxford Economic Growth Strategy

- 5.3.1. The delivery of this project to include additional platform capacity and a replacement Botley Road bridge would also support the proposed opening of the Cowley branch line to passenger services serving the growing southern employment area.

5.4. Connecting Oxfordshire: Local Transport Plan

- 5.4.1. The delivery of the OSP2 Project is fundamental to the success of the County's strategic rail priorities; many will simply not be realised without the additional platform capacity and improvements to the Public Highway under Botley Road Bridge.

5.5. Development Plan

- 5.5.1. The works proposed by this project deliver the aspiration of sustainable development within Oxford, a key policy objective in the local plan policies, by delivering public transport benefits to the city for all.

5.6. Oxford Station Supplementary Planning Document

- 5.6.1. The adopted SPD is relevant to the proposals and the essential infrastructure that is required to deliver the wider masterplan improvements such as Botley Road with segregated cycle/ pedestrian path, a railway bridge with gauge clearance for standard size double decker buses, changes to the layout and alignment of Roger Dudman Way, passive provision for a new railway line on the eastern side are all delivered as part of the phase 2 works.

5.7. Consultation Responses to Prior Approval

- 5.7.1. Network Rail conducted extensive project consultation and pre-application consultation, refining the design as a result.
- 5.7.2. Several responses have been received albeit relatively few for a project of this scale, which is indicative of the general support for, and the lack of objection to, the scheme. Where responses have been received by the LPA, Network Rail has responded directly to the case officer and where appropriate copied the response to the consultee.

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5.7.3. The Environment Agency has objected in relation to flooding issues and had requested further modelling that has now been provided to them in order for their objection to be removed. The Environment Agency has confirmed that as there remains some uncertainty regarding flood risk and whether the increase in flood risk hazard rating is suitably mitigated by the emergency plans it is for the LPA to determine whether these matters are acceptable when determining the prior approval. Network Rail has confirmed in a letter dated 5 November 2021 to the LPA in response that the prior approval complies with NPPF paragraph 167 and provided further detail to address the Environment Agency's remaining concerns; it concludes that there should now be sufficient information available to the LPA to grant the prior approval.

5.8. Recommendation to Planning Committee

5.8.1. The application will be presented to the Oxford City Planning Committee in the Old Town Hall in the evening of 9 November 2021, the same date that this summary proof of evidence is to be submitted. The LPA hopes to provide a verbal update to members on the flooding issue at Committee.

5.8.2. The recommendation to members is to delegate authority to the Head of Planning to grant prior approval once the flooding issues have been satisfactorily addressed and plans updated and subject to the required planning conditions. The LPA has requested and Network Rail has agreed to an extension to the prior approval determination target date from 17th November to 30th November in order to provide additional time to resolve the flooding issue following the Committee Meeting.

5.9. CONCLUSION

5.9.1. Whilst this Order seeks powers for land only, this proof has been written to demonstrate that Network Rail has the ability under the town planning legislation to deliver the OSP2 Project.

5.9.2. The delivery of the OSP2 Project is fundamental to realise the future aspirations for further station expansion and redevelopment of the station and the wider land around it. This project by delivering the key infrastructure such as Botley Road enhancement, additional through platform and new secondary entrance building should be considered an enabler for future changes and redevelopment of the main station building.

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- 5.9.3. Without the approval and delivery of the OSP2 Project the policy aspirations of both City and County Council of additional rail growth to include the reopening of the Cowley Branch line for passenger services as well as additional East West Rail services and Cotswold Line Enhancement will not be able to go forward, as the existing station does not have enough platform capacity to provide any additional services.
- 5.9.4. The OSP2 Project has fully considered further development/ redevelopment of the eastern side of the railway station and this current project should be considered an enabler to the delivery of future station works to the eastern side of the railway.
- 5.9.5. At the time of writing this proof of evidence all concerns or objections to the scheme have been responded to where requested by the LPA to officer's satisfaction, and Network Rail expects to satisfy the LPA on any remaining flooding issue so that prior approval will be granted prior to the Public Inquiry.
- 5.9.6. A decision of the Oxford City Council planning committee is expected on 9 November 2021 for the Prior Approval application the same date this summary proof of evidence is to be submitted. The recommendation is for members to delegate authority to the Head of Planning to grant prior approval once the flooding issues have been satisfactorily addressed and plans updated and subject to the discharge of required planning conditions. The LPA has requested and Network Rail has agreed to an extension to the prior approval determination target date from 17th November to 30th November in order to provide additional time to resolve the flooding issue following the Committee Meeting. As a result it is expected that there will be no planning impediments to the OSP2 Project.
- 5.9.7. Separately to the current application and in consultation with the Nursery a separate planning application will be submitted in 2022 to secure the external changes to the nursery building. This will be a minor planning application and is highly likely to be considered at officer level as a delegated decision.

6. WITNESS DECLARATION

I hereby declare as follows:

This summary proof of evidence includes all facts which I regard as being relevant to the professional opinion which I have expressed and I have drawn the inquiry's attention to any matter which would affect the validity of that opinion.

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I believe the facts which I have stated in this proof of evidence are true and that the opinions are correct.

A handwritten signature in black ink, appearing to read 'C. F. H.', enclosed within a thin black rectangular border.

8 November 2021