

**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
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. Prior to working for Network Rail I have had a number of town planning posts in both the public and private sector and have mainly specialised in infrastructure projects. I have a Bachelor of Arts (Honours) Degree in Town Planning, a Bachelor of Town Planning, and have been a Chartered Member of the Royal Town Planning Institute since 2000. I also successfully completed a post graduate certificate in Business Leadership.
- 1.2. My role involves managing a team that advises on town planning matters for all railway schemes within the region, including new infrastructure and stations, major redevelopment projects, together with routine maintenance/renewals and works to Network Rail’s heritage estate. Major projects of note include the Modernisation of the Great Western Mainline (electrification), South West Rail Resilience Programme, Oxford Station Phase 1, W10 Gauge Clearance between Southampton and Midlands including North Oxford Passing Loop, Cardiff Area Signalling and Capacity Renewal including the extension of Cardiff Central Station amongst others, preparation of application documents and associated development applications to support the Development Consent Order for the Redditch Branch Enhancement, support to the third party MetroWest (Portishead Line) Development Consent Order, and the Department for Transport’s National Station Improvement Programme and Access for All schemes.

2. SCOPE OF EVIDENCE

- 2.1. Whilst this is a land only Order and does not require planning permission this proof 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.

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- 2.3. A planning policy section and assessment is provided to demonstrate that had planning permission been needed how the OSP2 Project accords with planning policy.
- 2.4. This evidence also sets out the public consultation approach to the prior approval application and discusses the representations received by the LPA at the time of writing and how those responses have been addressed.

3. DESCRIPTION OF WORK

- 3.1. The Order is required to facilitate the improved capacity and capability on the 'Oxford Corridor' (Didcot North Junction to Aynho Junction) to meet the Strategic Business Plan objections for capacity enhancement and journey time improvements. The Project forms part of a package of rail enhancement schemes, which deliver significant economic and strategic benefits to the wider Oxford area and the country. The enhanced infrastructure in the Oxford area will provide benefits for both freight and passenger services, as well as enable further schemes in this strategically important rail corridor including the introduction of East West Rail services in 2024.
- 3.2. All of the proposed works being considered as part of the OSP2 Project are located in Oxford for which the Oxford City Council is the LPA and Oxfordshire County Council is the Highways Authority.
- 3.3. 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.
- 3.4. As a result of the railway works to provide a new through platform for the station, a new alignment and wider bridge moving to the west is required over the Sheepwash Cut because a new railway bridge span as well as a replacement road and footpath needs to be constructed in the location where the existing road and footpath bridge is currently located. More detail of the engineering justification is included in Lawrence Walton's Engineering Proof of Evidence which explains the differences in ground levels as well as extracts from engineering drawings to illustrate the requirement for this work. As a result of the wider bridge structure and retaining wall, the Co-op Nursery building will be impacted by the project, which will necessitate a permanent change to the Nursery building; this is to facilitate the construction of a retaining wall (to the new road and path alignment) and provide space to maintain the new retaining wall.
- 3.5. The permanent change to the Nursery building will reduce the size of the building to the eastern elevation by moving the outside wall of the building westwards. The external changes to the building will be relatively minor albeit the Nursery will not be able to operate whilst changes are made to the building itself and during the delivery of the work on and adjacent to the replacement Sheepwash Bridge and Roger Dudman Way. The exact changes to the building elevation will form part of the detailed construction design of the OSP2 project and will be worked up in consultation with the Nursery in order to support a future minor planning application; further information regarding the planning process for the Nursery building is set out in section 4 below.
- 3.6. The Nursery will be moved to a temporary modular and fully removable building located at the southern end of the station car park during the implementation of the OSP2 Project. On completion of the railway works to the bridge and road it is the intention that the Nursery will be relocated back into its altered building and the temporary modular building will be removed and car park reinstated to its former condition. Further information in planning policy terms is also set out below in section 4.

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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) (**B13**) and does not require an application for full planning permission for the OSP2 Project. This section of my proof of evidence outlines the background to the submission of the Prior Approval application (**NR12-NR19**) under Part 18 of the GPDO that was submitted to and validated by Oxford City Council as Local Planning Authority (LPA) on 28 July 2021 (**NR20**). 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 (**NR22**) and 15/00096/PA18 (**NR21**).
- 4.3. In relation to the current proposals and by way of background, Network Rail submitted a formal request for pre-application advice to the LPA, which outlined a consenting strategy of Prior Approval under Part 18 of GPDO and suggested topics to be included in the Environment Statement (ES) (**NR16-NR19**) as Network Rail assumed that the LPA would deem the project to be EIA development. (The same consenting strategy of applying for Prior Approval with accompanying ES was used for the now constructed Reading Station development which involved alterations to the highway, redevelopment of the railway station, relocated train maintenance depot and sidings, railway maintenance delivery unit and a completely new railway flyover/viaduct with a separate TWAO submitted to DfT to deal with land only issues) (**-NR30(a) – NR30(c)**).
- 4.4. Detailed and technical plans with covering letter were submitted for feedback showing a baseline railway project and changes to the highway network in November 2018. A combined response from both the LPA and Highway Authority was received in March 2019.
- 4.5. The overall conclusions of the response from both authorities were that the proposed development would be welcomed in principle and in terms of facilitating improvements to the rail network. There were suggestions for further consideration for specific aspects of the proposals and the Councils expressed their willingness to engage in further conversations.
- 4.6. Since the receipt of pre-application advice over 2 years ago, the design of the OSP2 Project has evolved and adapted both in highway and station building design.

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- 4.7. In addition to dialogue and formal consultation as part of the scoping and production of the ES and evolution and development of the project design, which has included various departments of the Council and other government agencies, Network Rail has carried out extensive local community engagement.
- 4.8. The Network Rail project team has undertaken 13 separate stakeholder and public engagement events from the 15th January to 31st March 2021 in relation to the wider Oxford Phase 2 programme (these have included proposed works outside of Oxford City Council at two level crossings within Cherwell District Council and other railway track improvements to the north of Oxford). The wider Phase 2 programme is not subject to this current Order or prior approval and will be subject to a separate consenting process where required. All public engagement events were attended by key Network Rail project personnel including senior management.
- 4.9. At Oxford Station the focus of Network Rail's consultation was in relation to the proposed station works and the construction required to deliver OSP2 and that which is the subject of the prior approval application. Network Rail sent letters to local resident associations to engage with their members virtually and distributed letters to over 3000 properties that were within 300m of the proposed site in early 2021 before planning consent was submitted. Network Rail also consulted with Oxford City Council and Oxford County Council elected members. To accommodate those interested parties who could not attend the scheduled events or did not have access to the internet, Network Rail provided a telephone number on the letter to accommodate those (no calls were received). An email address OxfordPhase2@networkrail.co.uk was setup to allow members of the public and other interested parties to contact the project team with their questions in relation to OSP2 to resolve queries from the public in advance of the formal prior approval being submitted to the LPA. At the time of the planning submission, the project has received 20 email enquiries all of which were responded to as a result of 3000 letters sent out.
- 4.10. Network Rail recorded all feedback including concerns/objections/support and logged this on a FAQ document. This FAQ document is included as part of the supporting information for this application under the Transport and Works Act 1992 under document reference **Rule 10(2)(d) (NR05)**. The FAQ document is split into 5 themes:
- Project Plans & Funding
 - Station Plans

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- Environment
 - Botley Road Bridge and Footways/Cycleways
 - Realignment of Roger Dudman Way and Mill Street.
- 4.11. The overall feedback from the public engagement events was largely positive and the proposed OSP2 Project was well received by the attendees, who welcomed investment at the station and its local neighbourhood. Network Rail will look to address any outstanding issues and concerns in the detailed design phase as we enter into implementation assuming prior approval is forthcoming.
- 4.12. Detail relating to additional public engagement that was carried out outside of the planning consultation process is included at Section 8 of Chris Nash's Sponsor Proof of Evidence, demonstrating how that engagement influenced the evolution of the OSP2 Project design; in addition, Lawrence Walton's Engineering Proof of Evidence sets out the engineering factors that informed the OSP2 Project's development.
- 4.13. Following public and officer feedback on the station building design in March 2021 the Network Rail project team presented the design of the station building to the Oxford Design Advisory Panel (DAP). The panel is co-ordinated by the Design Council and was attended by officers of the LPA who played an active role in questioning design limitations and rationale. The panel on the whole were supportive of the principle of station expansion, capacity improved passenger facilities were supported and the improvements works to Botley Road for cyclists and pedestrians were also welcomed. The Panel then made some strategic recommendations for improvements to the scheme that could include: the need for a "gateway" building as the proposal was not considered to be inspiring; a design led approach with clear references to Oxford were needed; the delivery of more social value; better explanation of how it fits to a future station masterplan; supportive of public realm but better quality to create a place where people choose to meet and spend time; more detail of the elevation detail of Botley Road Bridge; improvements to size and finish within the station subway; and the station building should create a strong local landmark in terms of overall design, sustainability and place making.
- 4.14. Following the receipt of the advice from the DAP and from the separate public, Councillor and residents association engagement sessions Network Rail appointed an internationally renowned architecture practice Idom, to revisit the station building, public realm (hard and soft landscaping) and improvements to Botley Road Bridge elevations. This involved a complete redesign of the public realm and station building

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as well as design enhancement of retaining walls (incorporating part of the noise barrier into it), bridge elevations, landscaping and improved palette of materials. The architects took a completely fresh look at the proposals to significantly improve the design quality and sense of place of arrival to the secondary entrance to the station. As design concepts evolved further presentations and interactive meetings took place with officers from the LPA to shape and improve design ideas and finishes.

- 4.15. At the stage of the appointment of Idom the completion of the ES was at its advanced stages so the environmental assessment was completed on the basis of the design presented to the DAP. As a result of Idom's appointment and the consultation feedback the submitted application was materially improved in its appearance and layout from the baseline design used for EIA purposes; in effect a worst-case ES assessment was undertaken. The evolution of the station building design is discussed further in the planning statement and the explanation of the differences of the building design in the ES compared to the submitted scheme at pages 10 and 11 of the planning submission covering letter (**NR12**).
- 4.16. On 16 July 2021 Network Rail and the LPA entered into a Planning Performance Agreement (PPA). That agreement is to fund the post of a Principal Planning Officer over 12 months through the determination of the planning submission and if approved the discharge of the planning conditions. The primary reason for this agreement is that there is no application fee required for a prior approval application. A copy of the PPA is included at (**NR24**).
- 4.17. As outlined above, this proposal has been submitted to the LPA on 27 July 2021 under Part 18 Class A of Schedule 2 to the GPDO (**B13**) as permitted development. It does not require an application for full planning permission, but the LPA must give its "prior approval" to the detailed plans and specifications.
- 4.18. 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, as noted below:
 - Oxford and Rugby Railway Act 1845 (**B16**) - authorising act for the line between Oxford and Rugby - now known as the DCL;
 - Great Western (Additional Powers) Act 1865 (**B17**) - authorised the purchase of lands in the Parish of St Thomas, Oxford near Oxford Station;

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- Great Western Railway (Further Powers) Act 1866 (**B18**) - authorised the purchase of lands, between River Sheepwash Bridge and Castle Mill Stream Bridges and the stopping up and construction of Osney Lane Footbridge; and
 - Great Western Railway (Additional Powers) Act 1936 (**B19**) - authorised the purchase of lands to allow the widening of River Sheepwash Bridge.
- 4.19. 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. Therefore, whilst Network Rail has submitted comprehensive plans and drawings of all elements for the OSP2 Project (**NR12-NR19**) not all of these elements actually require Prior Approval. Likewise, in the submitted ES where all elements of the OSP2 Project such as temporary works are assessed, these in themselves would not need Prior Approval.
- 4.20. The proposed works are therefore permitted development. Paragraph A.2 of Part 18 (**B13**) 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 -*
- 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.*
- 4.21. The LPA may therefore only consider whether the development ought to be and could reasonably be carried out elsewhere on the land, and may only consider the design or external appearance of the project to ensure that development 'would not injure the amenity of the neighbourhood'.
- 4.22. Notwithstanding the limited matters for consideration on the Prior Approval application, the supporting planning statement (**NR14**) submitted with this application considers the national, strategic and local planning policy framework and

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the ES considers the potential environmental impacts of the overall project works and proposes mitigations to address those potential concerns.

- 4.23. The town planning issues as well as design and access matters particularly linked to amenity are summarised in the planning statement and design and access statement. The planning statement discusses the overall project including the development/ evolution of the various designs considered for the station building and the separate design and access statement (**NR15**) written by the architects focusing on the public realm, station building and other architectural enhancements to the original project design report which are linked to the requirements of the Prior Approval.
- 4.24. 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. The scope of the ES was agreed by the Council in a letter dated 5 January 2021 (NR23) with input following consultation of internal and external consultees.
- 4.25. The ES submitted with this application is presented in four volumes:
- Volume 1: Non-Technical Summary. (**NR16**)
- Volume 2: Main Report. (**NR17(a)-(p)**)
- Volume 3: Book of Figures. (**NR18(a)-(eee)**)
- Volume 4: Supporting Technical Appendices. (**NR19(a)-(cc)**)
- 4.26. Volume 1 consists of a Non-Technical Summary which provides a concise description of the scheme, development alternatives, environmental impacts, mitigation measures and residual effects. The Non-Technical Summary is designed to give information on the scheme to a wide and non-technical audience and to assist interested parties with their familiarisation of the project.
- 4.27. Volume 2: The Main Report, comprises: Introductory chapters (Chapters 1 to 4) which introduce the scheme; provide a description of the study area; outline the history of the scheme and main alternatives considered; give a description of the scheme; and detail the approach to the environmental assessment. Chapter 5 describes the legislative and planning framework. Technical assessment chapters (Chapters 6 to 15) detail the results of assessment; impacts arising; and proposed mitigation measures. The topics covered are: air quality and odour; geology and soils;

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historic environment; landscape and visual; noise and vibration; population; human health; traffic and transport, water resources and flood risk and cumulative effects. The concluding chapter (Chapter 16) provides a summary of the residual effects identified in Chapters 6 to 14, together with a summary of the mitigation measures identified.

- 4.28. Volume 3: comprises supporting figures.
- 4.29. Volume 4 provides a set of technical appendices including technical reports, surveys and data which have informed the EIA and preparation of the ES.
- 4.30. In Chapter 16 - Conclusions of the ES explains that nine environmental topics were taken forward for assessment within the EIA process in line with the agreed scoping opinion issued by the LPA. The assessment took account of mitigation that was already embedded into the scheme and assumed good practice measures during construction.
- 4.31. The assessment identified significant adverse and beneficial effects that the scheme would have on the environment without further mitigation in place. At table 16.1 of the ES all significant residual effects are shown which includes commentary on proposed additional mitigation measures and then the residual effect.
- 4.32. The ES identifies that there is potential for both temporary and permanent effects of the project.
- 4.33. As to construction effects, in the Noise chapter, para. 10.7.1 of the ES states that "Potential significant adverse temporary noise effects have been identified during construction. The appointed contractor would develop appropriate mitigation where necessary and practicable as required by the CoCP and the CEMP." (NR25 for draft CoCP). However, in the concluding chapter there were found to be no significant construction effects – whether noise or otherwise – as a result of the Scheme due to the design of the Scheme and the implementation of good practice measures (Code of Construction Practice).
- 4.34. The cumulative assessment indicated that there would be the potential for inter-cumulative effects (i.e., effects in combination with other developments) on the landscape and visual amenity of the area. These effects would be short term and dependent on the ultimate timing of the various developments concerned. Replacement planting proposed as part of the other developments and the Scheme would together mitigate against any long-term significant effects.

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- 4.35. As to operational effects, three potential significant adverse effects were identified, which relate to loss of trees subject to a TPO, operational railway noise and flooding (as a result of climate change).
- 4.36. In respect of loss of trees, the ES has assumed the loss of the 4 Lime trees subject to a TPO on Cripsey Road, however as the design has been updated further from that in the ES the new station entrance building design (linear and closer to the proposed retaining wall) will now allow for the retention of existing trees where practicable and the Council intend to include a planning condition in relation to the retention of Cripsey Road TPO trees. Notwithstanding the design changes to keep the footprint of the station building further from 3 of the 4 protected trees one of the Lime trees will however be definitely lost due to the design of the new road layout between Roger Dudman Way and Cripsey Road. Discussions have already started with the County Council Tree officer who has advised that a CAVAT payment will be required to be made to the County to fund replacement tree planting elsewhere in Oxford on Highway land, which will make the loss acceptable.
- 4.37. In respect of operational noise, by introducing an environmental barrier (noise fence at the rear of the new track running parallel with Roger Dudman Way between Botley Road and Sheepwash Bridge) the noise effect can be mitigated and a noise fence is now incorporated into the design. There remains a significant adverse effect, but it is in terms of noise change (i.e. from existing: see ES 10.6.34 – 35). The overall noise level is below the fixed Significant Observed Adverse Effect Level (SOAEL), which is the level above which significant adverse effects on health and quality of life occur. The scheme thereby complies with national policy in the NPPF (para 185) and the Noise Policy Statement for England (referenced in para 185) to avoid the SOAEL. The absolute levels are not such as to require the provision of noise insulation. Further, the effects have been mitigated as far as practicable in the context of sustainable development, which again accords with the NPPF and NPSE. As further observed in the ES (16.4.5), the perception of noise decreases over time reducing its significance.
- 4.38. The scheme is liable to flood in the future, both at the Botley Road and the western entrance (although it should be noted that without the delivery of the project it would still flood, and in the event that the western entrance floods, the majority of the surrounding area would also be flooded). This is due to the proximity of the River Thames and projected increases in flooding due to climate change. Although there will remain a significant adverse effect in respect of fluvial flooding at least (surface water flooding may be significant or not significant depending on what can

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be achieved by way of mitigation: see Table 16.1), measures have been proposed to alleviate the effects of flooding by the closure and management of the secondary entrance in a flood event through an emergency management plan. Also as part of the project a new pumping system will be installed to pump out Botley Road which is an area which does already flood.

- 4.39. The ES concludes at paragraph 16.4.7 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.
- 4.40. There is also an intention to provide for bicycle parking provision where currently none exists on the western side of the station and again the LPA will be including a planning condition to secure additional cycle parking than that submitted in the application and we have agreed to this and have shared an initial estimate on the potential increased cycle spaces that could be achieved. To further the sustainable aims of the project, a green roof and other vegetation/tree planting have been provided.
- 4.41. As outlined in section 3 above on the proposed works there are also works required at the Co-op Nursery building (both temporary and permanent) to facilitate the delivery of the OSP2 Project. In the short term (approximately 12 months) during construction a temporary nursery facility will be provided within the railway station car park. This will not require planning permission and Network Rail will rely on Part 4 Temporary Buildings and Uses, Class A - temporary buildings and structures of Schedule 2 to the GPDO. On completion, the temporary buildings will be removed from the land and reinstated to its condition before that development was carried out. As a result, no planning impediment is expected to this temporary relocation and therefore to the delivery of the OSP2 Project.
- 4.42. The relatively minor construction works to the eastern elevation of the existing Nursery building have yet to have a detailed design, which will form part of the next construction design phase. The existing nursery building is not listed nor does its design have any particular architectural merit. A separate minor planning application will be submitted to the LPA. It is envisaged that this will be a straightforward proposal that will not have any impact on neighbouring properties and as a result it is not expected that again there will be a planning impediment to these proposed works or to the OSP2 Project.

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5. PLANNING POLICY AND APPRAISAL

5.1. National Planning Policy Framework

- 5.1.1. The revised National Planning Policy Framework (NPPF) was published in July 2021 (and is a material consideration in planning decisions) (**D1**). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Relevant parts of the NPPF are referenced below.
- 5.1.2. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 provides three overarching objectives which should be pursued in mutually supportive ways which are an economic objective, social objective and environmental objective.
- 5.1.3. Section 9 promotes sustainable transport.
- 5.1.4. Paragraph 104 states that transport issues should be considered from the earliest stages of plan-making and development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued.
- 5.1.5. Paragraph 105 sets out that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport.
- 5.1.6. At paragraph 111 it suggests development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual effects on the highway network would be severe.
- 5.1.7. Paragraph 112 states that applications for development should give priority to pedestrian and cycle movements, facilitating access to high quality public transport.
- 5.1.8. Section 12 sets out the importance attached to the good design of the built environment. Paragraph 126 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.1.9. It advises at paragraph 130 that planning policies and decisions should aim to ensure that developments meet a number of design characteristics and ensure developments:

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- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.

5.1.10. 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 can be seen to be delivered by these current proposals.

5.1.11. The aims of delivering high quality design characteristics have been challenged through the presentation to the Oxford DAP and the subsequent appointment of an internationally renowned architecture practice who identified significant design improvements taking note of the unique designs and history of buildings, walls and open spaces within Oxford again meeting the aspirations for high quality design in the NPPF.

5.1.12. In addition, as part of the OSP2 Project by replacing Botley Road railway bridge and highway works the gauge clearance under the bridge will allow standard height double decker buses to pass under this bridge and no longer require all double decker buses in Oxford to be manufactured to a bespoke height as currently is the case. The highway improvements of two new 4m wide cycle/ pedestrian pathways under the bridge also significantly improves the current situation. These two elements show that whilst this is a railway enhancement project it also delivers significant improvements to the wider highway network in Oxford City Centre.

5.2. National Policy Statement for National Networks

5.2.1. Transport policy contained within the NPPF is largely focused on the impact of, and location of, new development, in relation to existing transport infrastructure, and provides limited guidance on proposals for new transport infrastructure. There is further policy applicable to Nationally Significant Infrastructure Projects ('NSIPs'),

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which, for transport projects, is set out in the National Policy Statement for National Networks ('NPS'), December 2014 (D5).

- 5.2.2. While this Scheme is not an NSIP, because it falls below the thresholds defined in the Planning Act 2008, it does involve proposals for new rail infrastructure, so the NPS provides useful guidance. The NPS outlines the government's strategic objectives for the national networks by supporting a prosperous and competitive economy and improving the overall quality of life, as part of a wider transport system.
- 5.2.3. 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 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. Oxford Strategic Partnership's Economic Growth Strategy sets out the policy framework for economic development in the city from 2013 to 2023 (D7). It sets out the ambition of all partners to deliver employment growth within the city centre. Within the immediate environs of the railway station there are major regeneration schemes planned or being implemented in the West End of Oxford City, including the area around the station, Westgate (50,000m² retail / leisure / residential) now delivered, the Oxpens site (73,000m² residential/research/hotel), and Osney Mead (137,000m² research / commercial / residential).
- 5.3.2. 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 (Oxford Business Park/Magdalen Science Park/BMW) with potential to support 4,000 new homes around the Kassam Stadium and Grenoble Road. The branch line is currently restricted to freight and serves the BMW Mini plant (three trains per day to Southampton) and the OSP2 Project will facilitate the delivery of future economic growth.
- 5.3.3. The Botley Road Bridge occupies a strategic position in the Oxford rail corridor and is a major constraint on rail and road movements, capacity and growth. The bridge currently carries four tracks and the proposed replacement ballasted deck (to enable higher railway line speeds) as well as a new rail span to the west would allow the

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height restriction of road users to be addressed. On completion of the project a fifth railway line to serve a new platform will be delivered as well as the essential infrastructure to provide a bridge that will accommodate another railway line and additional through platform at the station. The OSP2 Project clearly delivers the economic benefit for now and the future beyond 2023.

5.4. Connecting Oxfordshire: Local Transport Plan

5.4.1. Connecting Oxfordshire: Local Transport Plan Volume 1 (2015 – 2031) (**D20**) sets out the County's strategic rail policies, which are set out below. Network Rail has already included with the Statement of Case Volume 3 Rail Strategy of the LTP (**D10**).

5.4.2. Chapter 4 of Volume 1 sets out that the railway has the potential to play a much bigger part in meeting the Oxfordshire growth agenda, particularly as an alternative to the A34 for connecting three main growth areas: Didcot, Oxford and Bicester. The strategic rail priorities listed at paragraph 109 that are relevant to this project include:

- Supporting the development and delivery of East West Rail Phase 2 and progressing future phases working with Network Rail and the East West Rail Consortium;
- Increased passenger and freight capacity between Didcot and Oxford;
- Promotion of a major upgrade to Oxford station, including additional platforms, through lines and a new station building and transport interchange;
- Reopening the Cowley Line to passenger services, with new stations to serve the Oxford Science Park and Oxford Business Park;
- Supporting further capacity and service enhancements on the North Cotswold Line.

5.4.3. The strategy states at paragraph 110 that further investment in the Oxfordshire rail network will be needed.

5.4.4. This is further supported by Policy 9 at page 56 of volume 1 which states that the County Council will work with the rail industry to enhance the rail network in Oxfordshire and connections to it, where this supports the County's objectives for economic growth.

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5.4.5. The main thrust of the Local Transport Plan is to reduce dependency of the private car and identifies the key role the railway has to play in meeting the aspirations of the policies in the plan. 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. For this reason and as confirmed by the County's consultation response to the application for Prior Approval the proposals are fully in accordance with the Local Transport Plan.

5.5. Development Plan

5.5.1. The Development Plan comprises the Oxford Local Plan 2036, adopted in June 2020 (**D6**). The policies of particular relevance are set out below.

5.5.2. Policy S1 sets out that the LPA will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

5.5.3. Policy RE1 relates to sustainable design and construction, that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated.

5.5.4. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport.

5.5.5. Policy AOC1 refers to West End and Osney Mead, which includes Oxford Station. The policy states that planning permission will be granted for new development within the area of change where it would take opportunities to deliver the following, where relevant:

- Enhance connectivity throughout the area, including along and across waterways
- Enhance the pedestrian and cycling experience
- Ensure that the heritage of the area informs and guides new development proposals
- Create easy and attractive transport interchange
- Reduce car parking

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- 5.5.6. Policy SP1 states that planning permission will be granted for a number of mixed-use developments across the West End. Planning permission will only be granted for redevelopment of the station and Becket Street Car Park if it improves the station for passengers and creates a strong sense of arrival to Oxford, and is in accordance with the Oxford Station SPD.
- 5.5.7. The works proposed by this project deliver the aspiration of sustainable development within Oxford, a key policy objective in the local plan policy S1, by delivering public transport benefits to the city for all.
- 5.5.8. The secondary station entrance has been designed to be primarily accessed by pedestrian and cyclists. This is being facilitated by improved pedestrian and cyclist routes under Botley Road railway bridge and provision of cycle parking (there is currently no cycle parking on the western side of the station). The main station building on the eastern side of the station will remain the main drop off for taxis, short and long term parking and for buses in line with Policy RE1 and M1.
- 5.5.9. The OSP2 Project is enabling development that will facilitate the future comprehensive phased redevelopment of the station and the area around it as outlined in AOC1; without this project and the delivery of Botley Road highway works, the western side station improvements and the future proofing of eastern side rail capacity, the full objectives of this policy cannot be fully realised. As part of the OSP2 Project there will be reduction in car parking from that which currently exists.

5.6. Oxford Station Supplementary Planning Document

- 5.6.1. The Oxford Station Area Supplementary Planning Document (SPD), adopted in November 2017 (**D11-14**), provides Oxford City Council's guide to development proposals as part of an overarching vision to create a new transport interchange and a distinctive gateway to Oxford and should be seen as the key guide to development proposals concerning Oxford Railway Station.
- 5.6.2. Chapter 4 outlines the key design principles covering proposals for the station, covering the following matters:
- Design principles;
 - Land use mix;
 - Public realm and amenity space;

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- Local context and character;
 - Access and movement;
 - Pedestrian and cycling movement;
 - Bus movement and interchange;
 - Car movement;
 - Taxi movement; and
 - Sustainability.
- 5.6.3. Chapter 5 outlines individual key components of the station, which includes the ‘Western Station Entrance and Station Square West’.
- 5.6.4. Chapter 5 notes that a new station entrance on the western side of the development will create a new gateway to Oxford that relates positively to the surrounding context and provides better access to a transport interchange with connections within and beyond the City. The document sets out its 10 design principles for the Western Station Entrance.
- 5.6.5. The Oxford Station SPD was taken forward by the City Council for formal adoption following the progress of a station masterplan with Network Rail and the County Council as partners. It was Network Rail’s view that the station masterplan was never meant to become an adopted planning document as there were elements of the scheme which had not been fully tested for viability and which Network Rail did not support. The two main issues of contention were the inclusion of a bus station on the existing railway station car park and a new large over bridge/ transfer deck for passengers.
- 5.6.6. In recognition of the shortfalls of the previous station masterplan and SPD the City Council have now employed Atkins to revisit this study to propose a new masterplan that is viable and deliverable. Network Rail and the County Council as well as other stakeholders including the Train Operating Companies are all partners. The revised station masterplan has not yet gone out for public consultation and for the purposes of the determination of a planning submission has little policy weight.
- 5.6.7. However, the adopted SPD clearly has relevance to our current 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

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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. As previously outlined the OSP2 Project is an essential enabler to fully realise the benefit of the overall station site and the potential development opportunities of the main station building; without it the future station redevelopment and the future station masterplan (both the existing SPD and evolving new station masterplan) would be undermined.

5.7. West End Area Action Plan

- 5.7.1. There had previously been a West End Area Action Plan but this has expired and no longer forms part of the current development plan.
- 5.7.2. The new West End SPD will replace the documents and provide guidance to support the over-arching policies in the adopted Local Plan. This is at an early stage of consultation and engagement and is yet to become part of the development plan.

5.8. Consultation Responses to Prior Approval

- 5.8.1. In Section 4 of this proof of evidence it has been outlined that there were a number of different stages of consultation / engagement starting with a formal pre-application submission to both the City and County Council in November 2018 on the station phase 2 works. There was then later formal consultation with statutory bodies through the EIA screening and scoping exercise in summer 2020 which was co-ordinated by the City. In late 2020 and early 2021 Network Rail carried out its own engagement and consultation on the wider programme of works which is covered in more detail is included in Chris Nash's Sponsor Proof of Evidence.
- 5.8.2. In March 2021 the project was presented to the Oxford Design Advisory Panel which resulted in the appointment of new architects Idom. During the intensive design improvement and development work by Idom between May and July three progress meetings and presentations took place with City Council officers.
- 5.8.3. I deal below with the consultation responses that have been made directly to the City Council as the LPA in their determination of the Prior Approval application.
- 5.8.4. As part of the registration process of the Prior Approval application the LPA have carried out a consultation exercise by letter with local residents and external consultees including government agencies, and they have advertised the application in the local press and displayed a site notice.

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- 5.8.5. 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.
- 5.8.6. Five no comment responses have been received from Natural England, The Gardens Trust, Cherwell District Council, Historic England, and the Canals and Rivers Trust.
- 5.8.7. Three 'no objection subject to planning conditions' responses have been received from Highways England, Thames Water and the County Council.
- 5.8.8. The County Council did helpfully in their response confirm that the proposals are in accordance with the Local Transport Plan, the Strategic Economic Plan and the emerging Local Industrial Strategy. The County recognises that the additional station capacity this project provides is essential for further phases of East West Rail, Cotswold Line Improvements and reopening of the Cowley Branch Line. They also confirm they are supportive of the additional rail capacity and redevelopment at Oxford Station. However, the County did express a number of technical concerns some of which are outside of the Prior Approval process and will be subject to separate highway technical approval processes and other legal agreements. These issues have been dealt with in a letter dated 11 October 2021 which we have responded to in writing **(NR28)**.
- 5.8.9. In summary to the County's response, Network Rail accepts their suggested two planning conditions in relation to additional cycle parking to be provided and additional detail of footbridge to be submitted. Network Rail has noted to the County that all of the highway works will require separate technical approval from the County so they will retain technical approval sign off, a S.278 agreement will be required together with other bridge agreements and Network Rail has committed to work with the County to commission an independent audit of the pavement/ cycle path design.
- 5.8.10. Two objections have been received from Environment Agency and Christchurch College (Oxford University).
- 5.8.11. Christchurch College objections are largely subjective design issues and concern the loss of the youth hostel. Network Rail has a separate legal agreement with the YHA whereby the Network Rail property team have committed to work with them to find an alternative site. It was the YHA's decision to surrender the land rather than

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propose a replacement building at the western side of the station. This is reflected in the fact that the YHA are making no objection to the planning submission nor the TWAO.

- 5.8.12. In response to the Environment Agency objection Network Rail has provided an additional summary report of the Flood Risk Assessment and provided the additional modelling data they had requested directly to them. Network Rail has written a letter dated 23 September 2021 responding to all the issues in their objection in response to their comments (**NR29**) which was copied to, and discussed on the phone directly with, the EA. The Environment Agency has now reviewed the additional modelling and data provided by Network Rail. In the Environment Agency's letter dated 1 November 2021 (**NR31**) it has confirmed that whilst they consider that some information gaps remain at this stage it is for the LPA to consider whether the uncertainty posed would be acceptable when determining the prior approval, and whether the increase in flood risk hazard rating is suitably mitigated by the emergency plans.
- 5.8.13. Network Rail has confirmed in a letter 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 is now sufficient information available to the LPA to grant the prior approval (**NR33**).
- 5.8.14. The EA have also flagged the need for an Environmental Permit for the Sheepwash Bridge works that would be required before construction; as Network Rail is reusing the existing bridge abutments on either side of the river to accommodate the new bridge decks and not constructing abutments any closer to the water this should be uncontentious and focus on construction methodology and good practice working close to a river.
- 5.8.15. The Abbey and Cripsey Road Residents Association has written a letter expressing their support for the project albeit expressing concerns about some of the conclusions in the ES in relation to noise, loss of parking spaces and noise and vibration from freight trains. Network Rail has written a letter dated 12 October 2021 to respond to the technical questions as well as provide clarity on queries they had about existing rail freight using the line (**NR27**). In the letter it has been made clear that Network Rail is more than willing to meet the Residents Association again to discuss their concerns. Their concerns about construction will be dealt with in the draft Code of Construction Practice, a draft copy of which has been provided to the LPA (**NR25**) and an application under S.61 of the Control of Pollution Act 1974 will be made to the City Council Environmental Protection Team by appointed build

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contractors. In relation to the concerns about the potential noise from trains it has been confirmed that as a result of the recommendations at para 10.7.5 in the ES Network Rail will be providing a 2.2m tall noise barrier along the rear of the railway track between Sheepwash and Botley Road Bridges. However separately to the Prior Approval process the Network Rail communications team are also communicating directly with the Residents Association.

- 5.8.16. Only one individual local resident has written in, providing support but also posing certain queries in relation to Sheepwash Bridge, boundary treatments at the side of Roger Dudman Way and refuse and recycling storage. These have been responded to directly to the LPA by email to explain that most of the residents' queries had already been incorporated into the design and additional boundary treatment could be requested by planning condition.

5.9. Recommendation to Planning Committee

- 5.9.1. In discussions with officers (at the time of writing this proof) they have confirmed that 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 proof is to be submitted. The case officer hopes to be able to provide a verbal update on the Environment Agency's position at Committee. The Network Rail Western Route Director Dr Mike Gallop will be presenting to planning committee due to the strategic importance of this project. He will be joined at committee with Chris Nash Senior Sponsor and myself so we can respond to any Councillor questions about the project.
- 5.9.2. The officer 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 planning committee report has been appended to this proof at **NR26**. 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. It is therefore expected that there will be no planning impediments to the delivery of the OSP2 Project.

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5.10. Conclusion

- 5.10.1. 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.
- 5.10.2. An application for Prior Approval under Part 18 of the GPDO accompanied by an ES under the EIA Regulations was submitted to Oxford City Council on 27 June 2021. The LPA has validated the application and given it an application reference number 21/02007/PA18. The application has a target date for decision of 18 November 2021. As part of the registration process the LPA has carried out an extensive consultation exercise with local residents, internal departments within the City Council and external statutory consultees and evolved the design where necessary as a result.
- 5.10.3. 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.
- 5.10.4. 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.
- 5.10.5. 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.
- 5.10.6. 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 officers satisfaction, and a mechanism has been put in place regarding the flooding issues raised by the EA.
- 5.10.7. A decision of the Oxford City Council planning committee is expected on 9 November 2021 the same date this proof is to be submitted. It is expected that the Head of Planning will be given delegated approval to grant the Prior Approval and that Prior

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Approval will be granted before the Public Inquiry. As a result it is expected that there will be no planning impediments to the OSP2 Project.

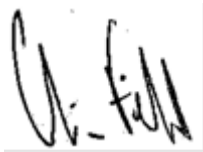
5.10.8. Separately to the current application and in consultation with the Nursery a separate planning application will be submitted in 2022 to secure the external changes to the nursery building. This will be a minor planning application and is highly likely to be considered at officer level as a delegated decision.

6. WITNESS DECLARATION

I hereby declare as follows:

This 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.

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