

TRANSPORT AND WORKS ACT 1992**TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004****SUMMARY PROOF OF EVIDENCE OF ELLIOT STAMP****PLANNING****1 INTRODUCTION**

- 1.1 My name is Elliot Stamp. I am employed by Network Rail Infrastructure Limited (**Network Rail**) as the Town Planning Manager for the Anglia Route, which sits within Network Rail's Eastern Region.
- 1.2 I have worked at Network Rail since 2012, with 9 years of town planning experience on railway projects. My current role involves managing a team that advises on town planning matters for railway schemes within Network Rail's Anglia Route. This includes a range of diverse projects from new infrastructure and stations to route maintenance/renewals and works to Network Rail's heritage estate.
- 1.3 I have a Masters in Town and Country Planning from the University of Manchester and have been a Chartered Member of the Royal Town Planning Institute since 2017.
- 1.4 My involvement in the Project began towards the end of 2020. I am responsible for providing planning advice on the consenting strategy for the Project. I am supporting the Project with the Order application and I am the town planning expert witness responsible for providing the town planning Proof.

2 CONSENTING REGIMES FOR THE PROJECT

- 2.1 The Order does not include a request for deemed planning permission. My Proof therefore focuses on 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 Project.
- 2.2 My Proof sets out the town planning consenting routes for the Project, which are as follows:
 - a. Change of use of part of the land to operational railway land, installation of full barrier solution, Relocatable Equipment Building (**REB**) and ancillary works at Croxton Level Crossing and Meldreth Level Crossing – application for express planning permission via the Town and Country Planning Act 1990 (**1990 Act**);
 - b. Change of use of part of the land to operational railway land, installation of REB at Foxton (Hauxton) level crossing – application for express planning permission via the 1990 Act;
 - c. Installation of full barrier solution, REB and ancillary works at Melton Fen Level Crossing, Six Mile Bottom Level Crossing and Waterbeach Level Crossing – Prior Notification (Class A of Part 8 and 18 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (**GPDO**) (not requiring Prior Approval); temporary works areas outside of Network Rail's ownership to be consented via Part 4, Class A of the GPDO; and

- d. Installation of full barrier solution, REB and ancillary works at Dullingham Level Crossing and Dimmock's Cote Level Crossing – Prior Approval under Class A of Part 18 of the GPDO.

3 NETWORK RAIL PERMITTED DEVELOPMENT RIGHTS

- 3.1 Network Rail has extensive permitted development rights under Part 8 and Part 18 of Schedule 2 to the GPDO. In my Proof I describe these rights in detail.

Prior Notifications under Part 8 and Part 18 (not requiring prior approval)

- 3.2 In relation to the proposed upgrade works at Milton Fen, Waterbeach and Six Mile Bottom level crossings, my Proof explains that the proposed installation of the REB modules, upgrade of crossing barriers and other works are permitted by virtue of Part 8. Where minor works associated with the upgrade of the level crossings are situated outwith Network Rail's existing land ownership, these works are permitted by virtue of Part 18 and do not require prior approval.
- 3.3 My Proof provides details of the Prior Notifications submitted to South Cambridgeshire District Council (**SCDC**) in relation to the works at Milton Fen, Waterbeach and Six Mile Bottom level crossings, as well as engagement undertaken with SCDC in relation to these Prior Notifications.
- 3.4 Notwithstanding the fact that SCDC was unable to confirm whether the proposed works would be regarded as permitted development, it is my view that through the submission of Prior Notification letters and the subsequent additional information and plans, Network Rail have carried out appropriate consultation and cooperated fully with GCSP's requests for additional information. All comments raised by GCSP during the process have been fully addressed and it is considered that no further action is required from Network Rail on the subject of the use of permitted development rights at these three sites.
- 3.5 I do not consider there is any planning impediment to the upgrade works at Milton Fen, Waterbeach and Six Mile Bottom proceeding.

Prior Approvals under class A of Part 18 of the GPDO

- 3.6 In relation to the works at the Dullingham and Dimmock's Cote level crossings, my Proof sets out the original town consenting strategy, which was that the works were permitted by virtue of Part 8, Class A and Part 18, Class A (not requiring prior approval) of the GPDO. This approach has been reconsidered due to the East Cambridgeshire District Council's (**ECDC**) response to the EIA Screening Opinion Requests, which stated that the proposed works are EIA development.
- 3.7 My Proof provides details of the Prior Approvals submitted to ECDC in relation to these works, as well as engagement undertaken with ECDC in relation to these applications.
- 3.8 I note that after undertaking a re-screening exercise following submission of the Prior Approval applications by Network Rail, ECDC confirmed that the proposed works are not considered EIA development.
- 3.9 As at the date of my Proof, Prior Approval applications are pending determination by ECDC. However, I do not consider there is any planning impediment to the necessary approvals being granted and the proposed upgrade works proceeding.

4 PLANNINGS PERMISSIONS AND POLICY CONTEXT

- 4.1 In relation to the proposed works at Hauxton, Meldreth and Croxton level crossings, my Proof provides details of the planning applications submitted to the relevant planning authorities, as well as key planning and policy considerations.
- 4.2 The key reason behind the decision to apply for express planning permissions is due to the fact that, through submitting planning applications, Network Rail is seeking to change the use of parts of the sites which are currently outwith Network Rail's existing operational land, to operational railway land. As a result, on approval of the respective planning applications and the completion of the associated land purchases, the use of the land will change to operational railway use and Network Rail will benefit from permitted development rights under Part 8 of the GPDO. This will be beneficial to Network Rail for any future works that may be required within the compounds.
- 4.3 At the date of my Proof planning permission for the proposed works at Croxton level crossing has been granted by Breckland District Council and I do not consider there is any planning impediment to the proposed upgrade works proceeding, as approved by the council.
- 4.4 Planning applications for the proposed works at Hauxton and Meldreth level crossing are still pending determination at the date of my Proof. However, I do not consider there is any planning impediment to the permissions being granted and the proposed works proceeding, as proposed. Network Rail is in the process of resolving the remaining matters relating to these planning applications.

5 CONSULTATION AND ENGAGEMENT WITH LOCAL AUTHORITIES

- 5.1 My Proof provides a brief overview of the consultation and engagement undertaken with the relevant Local Planning Authorities (**LPA**) and confirms that engagement with Project stakeholders continues following the submitted of the Order application.

6 RESPONSE TO OBJECTIONS

- 6.1 While a number of objections have been submitted to the Order, only one objection raised issues on the planning strategy for the Project, being GSCP's holding objection dated 23 September 2022.
- 6.2 My Proof outlines points raised in GSCP's objection, as well as Network Rail's engagement with GSCP in relation to their objection.
- 6.3 Network Rail has responded to comments and feedback received from GCSP and I do not consider there is any planning impediment to the necessary consents being secured and the works proceeding, as proposed.
- 6.4 Further responses are also provided in relation to other town planning matters raised within objections to the Order.

7 RESPONSE TO STATEMENT OF MATTERS

- 7.1 My Proof seeks to respond to town planning related matters raised within the Secretary of State's Statement of Matters. This includes further information on the impact of the proposed works on; air pollution, designated sites and species, trees subject to TPOs, scheduled ancient monuments and listed buildings, and details of the impact and interaction of the project on future planned developments in the Waterbeach area.

8 CONCLUSION

8.1 My Proof concludes that:

- 8.1.1 The principle for the Project is considered to be supported by the NPPF and the relevant planning policy; and
- 8.1.2 whilst Network Rail is in the process of resolving some outstanding matters, I am of the opinion that it has the ability under the town planning legislation to deliver the Project and, addressing the matters at 5(c) of the Statement of Matters, confirms that there is no planning impediment to the Project proceeding, as proposed by Network Rail.

Dated: 15 March 2023

I believe that the facts stated in this Summary are true.



Elliot Stamp