

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

SUMMARY PROOF OF EVIDENCE OF COLIN FIELD

TOWN PLANNING

13 OCTOBER 2023

1. INTRODUCTION

- 1.1 My name is Colin Field. I am employed by Network Rail Infrastructure Limited (**Network Rail**) as the Town Planning and Heritage Manager for the Wales and Western Region.
- 1.2 I have worked at Network Rail since 2008, with 15 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.
- 1.3 I have a Bachelor of Arts (Honours) Degree in Town Planning and have been a Chartered Member of the Royal Town Planning institute since 2000. I am associate member of Institute Environmental Management and Assessment. I also successfully completed a post graduate certificate in Business Leadership at Warwick University.
- 1.4 My involvement in the Project began in summer 2022 and I am responsible for providing town planning advice on behalf of the Wales and Western Region on the consenting strategy for the Project.

2. CONSENTING REGIMES

- 2.1 My Proof explains that the majority of the works to be carried out in relation to the Project will be carried out as permitted development. However, there are elements of the Project which could be considered beyond the scope of these rights, which will be authorised by deemed planning permission to be granted under the Order. These are:
- a. erection and construction of temporary worksites, including lay down and storage areas and other buildings, yards, slab, cranes, plant and machinery, apparatus, fencing and other works and conveniences; and
 - b. provision of temporary haul routes

(together **Ancillary Development**).

3. PERMITTED DEVELOPMENT

- 3.1 Network Rail has extensive permitted development rights under Part 18 of Schedule 2 to the GPDO. In my Proof I describe these rights in detail, concluding that Network Rail is confident that the relatively minor development required for the Project benefits from the permitted development rights and do not require planning permission and/or prior approval.
- 3.2 In relation to the Ancillary Development, my Proof explains that Network Rail's application for deemed planning permission has been included in the Order only due to the Project's association with HS2. Had the proposed Ancillary Development been entirely for the benefit of Network Rail, a logistics compound would not have required an express permission and could have been delivered as permitted development.

- 3.3 In relation to the Tree Preservation Order which relates to Plot 1, my Proof confirms that it would not constitute an impediment to the Project and the necessary tree removals can be undertaken without the need for any further consents.

4. DEEMED PLANNING PERMISSION

- 4.1 In relation to deemed planning permission applied for pursuant to the Order, my Proof concludes that the Ancillary Development accords with national and local planning policy.
- 4.2 My Proof also refers to Policy T3 in the London Plan, which is for "Transport Capacity, Connectivity and Safeguarding", which lists the various transport projects that should be safeguarded for the importance of London and beyond and expressly references HS2, as well as the "associated national rail changes" (which would include the Project).
- 4.3 My Proof clarifies that, at the time of the submission of the Order, the proposal was to use the warehouse building currently present at the Order Land to accommodate office and mess facilities for Network Rail's contractors, with the outdoor space used for storage. As such, the Planning Statement submitted with the Order did not mention any temporary buildings (with the exception of a security hut). However, following negotiations with the owner of Plots 2, 3 and 4 (as shown on the Land Plans submitted with the Order) Network Rail has also considered an option of implementing the Project without occupation of the warehouse. Should the warehouse not be used, a temporary modular building would be required for site offices and staff welfare. My Proof confirms that the temporary design and siting of any such building can be controlled by the inclusion of a planning condition to be discharged by the local planning authority to ensure that the building does not cause any overlooking of adjacent residential flats.

5. CONDITIONS

- 5.1 Addressing the matters at paragraph 6 of the Secretary of State's Statement of Matters, my Proof sets out conditions that should be required for inclusion on the deemed planning permission applied for under the Order.
- 5.2 My Proof refers to the five conditions outlined in the Planning Statement submitted with the Order, proposes minor variations to condition 5 (to ensure that any decommissioning plan approved by the local planning authority is implemented) and proposes three new conditions as follows:
- a. condition 6 dealing with the layout and elevation plan details of all proposed temporary buildings and the requirement for their approval by the local planning authority;
 - b. condition 7 dealing with a CEMP and the requirement for its approval by the local planning authority; and
 - c. condition 8 dealing with a CTMP plan and the requirement for its approval by the local planning authority.

6. BELLAVIEW'S DEVELOPMENT

- 6.1 My Proof briefly describes the proposed development of the Order Land by Bellaview, as well as Network Rail's engagement with the local planning authority in relation to the same. It also sets out conditions to be appended to Bellaview's planning permission, which will ensure that no part of Bellaview's development will constitute an impediment to delivery of the Project.

- 6.2 My Proof explains that whilst there would be some delay to the overall delivery of the residential scheme proposed by Bellaview, both organisations are working together to ensure that the housing allocation for the Order Land does come forward, at the same time as Network Rail's delivery of the essential nationally important infrastructure.

7. IMPACTS

- 7.1 Addressing the matters at paragraph 3 of the Statement of Matters, my proof confirms that the only local business that will be directly affected by the Project is the existing builder's merchant which is currently operating on the Order Land (STARK, trading as Jewson's). However, this business is approaching the end of its lease and would need to close/relocate irrespective of the Project as a result of the proposed redevelopment of the Order Land by Bellaview.
- 7.2 My Proof confirms that the Project will not impact on the residents' parking at the rear of Acton House and the proposal only involves the site currently occupied by STARK.
- 7.3 The impact of the Project on local amenities and the surrounding environment, and in particular noise, light and air quality will be limited and any such impacts will be controlled by the CEMP.
- 7.4 Any HGV movements associated with the Project will be modest and will have negligible impacts, as further explained in Mr Douch's Proof of Evidence.

8. OBJECTIONS

- 8.1 While a number of objections have been submitted to the application for the Order, only one objection raised issues on the planning strategy for the Project; namely Bellaview's objection and Statement of Case.
- 8.2 My Proof responds to the matters raised, as follows:
- a. highway matters – it confirms that Network Rail has prepared a Transport Statement and is confident that the proposed use of the Order Land for the Project will result in fewer vehicle movements than currently exist;
 - b. Policies T4 and T6 of the London Plan – it explains that these two policies relate to permanent changes of use or permanent construction and do not relate to the Project, which only introduced a temporary change of use for a relatively short period of time;
 - c. transport movements, air quality and potential noise disturbance during works – it confirms that the inclusion of a requirement for a CEMP and CTMP will deal adequately with these issues;
 - d. disturbance to residential amenity – the equipment to be used for the Project will not be loud and any noise generated will be mitigated through the CEMP.

- 8.3 In terms of Bellaview's development, my Proof explains that the Project would not prevent the Order Land from being redeveloped, albeit it may delay the overall completion date.

9. CONCLUSION

- 9.1 My Proof concludes that Network Rail has the ability to deliver the Project and there are no planning impediments to the Project proceeding, as proposed by Network Rail. The principle of the Project is considered to be supported by the NPPF and the relevant planning policies.

- 9.2 The majority of the works required for the Project are permitted under GPDO and I do not consider there is any planning impediment to these works proceeding.
- 9.3 The Ancillary Development proposed to be authorised under the Order is of very minor nature and is in accordance with national and local planning policies. As such, I believe that deemed planning permission should be granted, and that there is no planning impediment to the delivery of the Ancillary Development.

Dated: 13 October 2023

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

A handwritten signature in black ink, appearing to read 'Colin Field', enclosed in a thin black rectangular border.

Colin Field