

TRANSPORT AND WORKS ACT 1992

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

SUMMARY PROOF OF EVIDENCE

OF

CHRISTOPHER ALAN GENT MEng CEng MCIHT MICE

SUBMITTED ON BEHALF OF BELLAVIEW PROPERTIES LTD

DEPARTMENT FOR TRANSPORT REFERENCES: TWA/21/APP/O1/OBJ/8;

TWA/23/APP/02

DOCUMENT OBJ/8.3.3

OCTOBER 2023

1 Introduction

- 1.1 My name is Christopher Alan Gent and for the last 20 years I have practiced as a transport planning specialist. I hold a MEng(Hons) degree in Civil Engineering with French from the University of Nottingham and I am a Chartered Civil Engineer Member of the Institution of Civil Engineers and a Chartered Engineer Member of the Chartered Institution of Highways and Transportation.
- 1.2 I am an Equity Director at the transport planning, infrastructure design, and waste strategy consultancy, Velocity, where we specialise in development planning.
- 1.3 Velocity has been appointed by Bellaview Properties Ltd (BPL) since October 2021 to provide transport planning and design advice for its proposed redevelopment of 239 Horn Lane. I was appointed by BPL in September 2023 to review the access and logistics proposals of Network Rail (NR) in relation to their proposed use of 239 Horn Lane.
- 1.4 I am familiar with the transport related effects associated with large construction sites including:
- Bank Station Capacity Upgrade;
 - Crossrail (Royal Oak Portal); and
 - Earls Court and West Kensington Opportunity Area (including London Underground's Lillie Bridge depot).
- 1.5 I have provided advice to NR property services in relation to property developments on car parks adjacent to railway lines at Cambridge Station and Brentwood Station; and I led the project development GRIP 1-3 and planning application for the relocation of the existing station at Waterbeach in Cambridgeshire.
- 1.6 I confirm that my evidence to this Inquiry has been prepared and is given in accordance with the guidance of my professional institutions and I confirm that the opinions expressed are my true and professional opinions.

2 Evidence

- 2.1 My evidence relates to Matters 2 and 3 of the Inquiry and in particular my evidence reviews and considers:
- (a) A lack of consideration of alternative methods and strategies that may obviate the need for the compulsory purchase of 239 Horn Lane.
- (b) Transport related requirements for:
- (i) the continuation of the current operation of the builders' merchant at 239 Horn Lane
 - (ii) The proposed redevelopment of 239 Horn Lane (demolition and construction); and
 - (iii) The proposed future operation of 239 Horn Lane for residential and commercial purposes
- (c) NR requirements for access through 239 Horn Lane to the Triangle Site.
- (d) NR requirements for a temporary worksite compound and ancillary facilities at 239 Horn Lane.

3 Matter 2

- 3.1 In relation to the temporary RRAP and compound, my Proof of Evidence (Proof) firstly identifies that a number of the storage and access requirements described by NR as being “vital” to the project during the consultation and consideration of the site selection have been considerably reduced based on the ongoing site sharing discussions between BPL and NR, and the space required on to accommodate the RRAP and working compound is much smaller than first identified, which may make some of the alternative locations more suitable than first assessed.
- 3.2 Secondly, my Proof identifies that where, as NR identify their proposed use as 24 hours a day, I understand in reality this broadly means 24 hours once a fortnight, or put another way 7% of the time and only when the existing site is not in use as a builders merchant, and would not be in use as construction site.
- 3.3 Thirdly, I identify eleven (no.) sites, which have been considered at various times by NR as alternatives to the application site, eight of which appear at face value to be reasonable alternatives, worthy of significant consideration and comparison with the site at 239 Horn Lane.
- 3.4 Some of these sites are identified in the Statement of Case, some in the Statement of Aims, and other, seemingly more suitable, sites appear to have been identified and selected as suitable RRAP and compound locations previously, although these are only identified in documents that have been obtained by Freedom of Information (**FOI**) requests. I have not been able to identify a satisfactory explanation as to when or why these sites were dismissed from consideration.
- 3.5 In relation to the permanent RRAP, I identify that the alternative sites identified in relation to the temporary RRAP would be equally as suitable for the permanent RRAP, and that NR itself identifies that without the permanent RRAP within the application site, a less convenient more expensive alternative would be required – suggesting at least one alternative is possible.

4 Matter 3

- 4.1 In relation to the use of 239 Horn Lane, I identify BPL’s proposed occupation and operation of 239 Horn Lane: in use as presently as a builders merchant; during construction of BPL’s proposed redevelopment; and after occupation of the new builders merchant within the redevelopment.
- 4.2 BPL has committed to providing a minimum 5m wide access route between the public highway and the Triangle Site throughout these three phases and for the lifetime of the development thereafter.
- 4.3 I explain how I understand from discussions I have had on site with BPL, Stace, NR, and Colas that deliveries could be accommodated prior to railway possessions within the builders yard while it is closed (out of hours), and that at other times when the builders merchant would ordinarily be open (Christmas and weekdays in early January), BPL would be willing to commit to the store being shut and operating out of another location to provide NR exclusive access during these times.
- 4.4 I note that disparate deliveries and plant could be stored offsite at an alternative location during the 93% of the time the site is not in operation (potentially at Acton Yards or other sites), and that materials and plant could be brought in on a just in time basis in advance of railway possessions.
- 4.5 I identify that NR’s parking requirement would conflict with typical requirements for construction sites in London, and that there do not appear to be any special reasons why NR operatives could not arrive and depart by public transport as other construction workers are required to.
- 4.6 I provide a sketch of a possible ramp arrangement for access to the railway, noting that it conflicts with the existing site drainage, and will introduce its own drainage challenges to ensure the railway is not exposed to excess rainwater runoff. I conclude that this engineering requirement has not been given sufficient attention, and will make introduction of the RRAP in this location challenging, if not impossible.

- 4.7 I draw attention to the fact that previous studies by NR identified the location for the temporary RRAP in the same location as the permanent RRAP (in a document obtained via FOI requests) and that no adequate explanation has been provided as to why it was thought this would be acceptable, but now is not.
- 4.8 I identify that NRs proposed easement route conflicts with BPL's proposed development footprint and would prevent construction of the development in accordance with its lawful planning permission. I identify an alternative route which would work for both NR and BPL throughout NR and BPL's respective works.

Other matters

- 4.9 I identify further evidence from a document obtained via a FOI request that NR advised Ealing Council they would produce a traffic statement ahead of the Order application – none has been produced as far as I am aware.
- 4.10 I note that for any other planning application a number of transport related planning conditions would typically be imposed on any consent to ensure appropriate local authority control over construction activity during the construction period.

5 Conclusions

- 5.1 I have identified a number of inconsistencies in NR's evidence, particularly between the case stated in the Statement of Case and Statement of Aims and the conclusions reached by NR earlier in the project process, as evidenced by their documentation obtained through FOI requests.
- 5.2 In particular, I find that some of the highway access and logistics reasons for dismissal of alternative sites do not bear scrutiny, and there are at least four sites that should in my view have been subject to a more detailed assessment (or publication of that assessment if it has been undertaken), prior to commencing a compulsory purchase process.
- 5.3 Secondly, notwithstanding the point that suitable alternative locations may be available, the temporary provision of an access point midway along the Jewson's frontage with the railway is technically challenging in terms of levels and drainage, and compromises access to the rear of the Jewson's Yard.
- 5.4 NR had previously considered locating the temporary RRAP in broadly the same location as the permanent RRAP, accessed via the Triangle Site (where there are broadly no level differences), and it is unclear from the evidence presented a) why this approach was discontinued, and b) why it would not be a better less intrusive solution than the temporary RRAP within the 239 Horn Lane site.