

DEPARTMENT FOR TRANSPORT
2010

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)
(ENGLAND AND WALES) RULES 2006

THE CHILTERN RAILWAYS (BICESTER TO OXFORD IMPROVEMENTS) ORDER

**Request for Direction under section 90(2A) of the Town and Country
Planning Act 1990, conditions to be attached to the Direction and
Statement of Reserved Matters**

To: **The Secretary of State for Transport, Zone 1/31, Great Minster House, Marsham
Street, London SW1P 4DR.**

1. The Chiltern Railway Company Limited (CRCL) hereby seeks, pursuant to rule 10(6) of the above mentioned Rules, a direction from the Secretary of State under section 90(2A) of the Town and Country Planning Act 1990 that planning permission, so far as it is required, be deemed to be granted for the development sought to be authorised by the Order now being applied for within the various limits provided for in the draft Order and the accompanying deposited plans and sections.
2. The principal works proposed in the Order comprise:
 - (i) the construction of a new double track railway on embankment at Bicester linking the London Marylebone to Birmingham Moor Street main line to the Bletchley to Bicester and Oxford railway;
 - (ii) the laying of a double track railway, replacing the existing single track on an existing double track formation, from North East of Bicester Town station to Oxford North Junction, including the construction of a new freight loop and connections into the Exchange Sidings at Bicester;
 - (iii) the laying of a single track railway on an existing formation alongside the main line from Oxford North Junction to Oxford Station;
 - (iv) the rebuilding of Bicester Town station, to include two platforms up to 200 m in length, booking hall and waiting facilities, footbridge, single decked car park, with a total capacity for approximately 520 cars, and consequential alterations to highway, bus, cycle and pedestrian access;
 - (v) the rebuilding of Islip Station, to include two platforms, up to 200 m in length, ticket machines, waiting facilities, a footbridge and consequential alterations to highway, cycle and pedestrian access and the car park;
 - (vi) the relocation of the existing aggregates rail depot at Water Eaton, with a new access road from the junction with the A4165 Oxford Road,

around the edge of the existing Oxfordshire County Council Park and Ride site;

- (vii) the demolition of the former grain silos and other buildings at Water Eaton;
- (viii) the construction of a new station at Water Eaton Parkway to include two platforms, up to 200 m in length, booking hall and waiting facilities, a footbridge, a car park, partly decked, with a total capacity for up to 1,100 cars, and consequential alterations to the signalised access junction to the **A4165 Oxford Road**, pick-up and drop-off facilities for the station, additional bus stops on the **A4165 Oxford Road** and alterations to the layout of the Oxfordshire County Council Park and Ride site;
- (ix) the construction of two new platforms, each up to 150 m in length with waiting facilities replacing the former parcels platforms at Oxford station, a building for ancillary uses to the railway and consequential alterations to the short term and staff parking to the east of Oxford station;
- (x) the construction or reconstruction of under bridges, in particular the Mill Stream and Cherwell viaducts, south west of Islip, and the bridge over the Rewley Abbey Stream (also known as the Sheepwash Channel), in Oxford;
- (xi) the reconstruction and widening of the A41 over bridge in Bicester;
- (xii) the closure of existing public and private level crossings and improvements to the level crossing at London Road, Bicester;
- (xiii) the construction of 10 new road and/or foot bridges, including the diversion of roads, footpaths and bridleways, in particular a new highway between Wendlebury and Langford Lane;
- (xiv) the lowering of tracks, reinforcement of foundations and structural works to the Wolvercot Tunnel, the overbridge carrying **the A41 and other overbridges, where necessary, to enable the railway** to accommodate tracks with W12+ loading gauge; and
- (xv) widening and reinforcement of embankments, where necessary, and construction of retaining walls, rebuilding and alterations to drainage and other structures, the installation and diversion of utilities, the installation of new signalling, other accommodation works and consequential landscaping and fencing.

The Order also provides for the compulsory purchase of land and interests in land the closure and diversion of public footpaths, bridleways and other highways. Permission is also sought for the temporary use of land for construction, storage and access routes.

The development is located principally in the administrative area of Cherwell District Council, but the works in 2 (iii) and 2(ix) are entirely in the administrative area of Oxford City Council. Some of the works in 2 (ii), 2 (x) and 2 (xiv) are in the administrative area of the City of Oxford.

3. The applicant's interest in the proposed development is as prospective purchaser of any land not already in the ownership of Network Rail.

4. Notice to property owners and occupiers affected by the proposed development has been given by way of service of notices under Rule 15 of the above-mentioned Rules and other publicity required by those Rules.
5. The following aspects of the proposals contained in the draft Order are or may be development requiring planning permission under section 57(1) of the Town and Country Planning Act 1990 as follows:

Proposals	Draft Order Articles/Schedules
The scheduled works	Article 5, Schedule 1
Level crossings	Articles 15, 16 and 17, Schedules 7, 8 and 9
Highway alterations and improvements	Articles 7-14, Schedules 3, 4 and 5
Temporary use of land	Articles 29 and 30, Schedule 11

6. Where land is being acquired permanently, the effect of this direction will be to change the use of all of the land within the revised railway boundary to railway. Such land will become 'operational land' as defined in section 264(3) of the Town and Country Planning Act 1990.
7. Further particulars of items currently identified as forming elements or possible elements of development proposed are contained in Appendix 1 to this request.
8. The direction sought is one of deemed planning permission to be granted for the whole development and for each element of it, with certain aspects of design, external appearance, means of access and landscaping being reserved for subsequent approval by the local planning authority to the extent and in the manner set out in conditions attached to the direction. Attached as Appendix 2 to this Request pursuant to Rule 10(6)(b) are draft conditions which the applicant currently wishes to propose. Attached as Appendix 3 to this Request is a statement of reserved matters pursuant to Rule 10(6)(c).
9. There also accompanies this application pursuant to rule 10(6)(d) of the above-mentioned rules a set of Planning Direction drawings showing some of the elements of development in further detail. These show the planning application boundary, which corresponds with the limits of Land to be Acquired or Used, and statutorily designated sites and areas which are to be protected, but are otherwise for illustrative purposes only.
10. An Environmental Statement and a Design and Access Statement also accompany this application.

Dated: 6 January 2010 **revised 29 October 2010**

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APPENDIX 1

ELEMENTS OF THE DEVELOPMENT

In the administrative area of Cherwell District Council:

1. Between 200m east of the Charbridge Lane overbridge and the south west face of the A41 over bridge at Bicester:
 - (a) the construction of a double track railway (about 1,200 metres in length) partly on new embankment connecting the existing railway from London Marylebone to Birmingham Moor Street to the existing Bletchley to Oxford Railway [being part of Work No. 1];
 - (b) the laying of a double track railway (about 400m in length) on the course of the existing railway, terminating at the A41 over bridge [being part of Work No. 2];
 - (c) the laying of a single track railway siding (about 650m in length) alongside (b), commencing 100m south of the London Road crossing and terminating at the A41 over bridge for use by trains accessing the MoD Depot at Bicester [being part of Work No.4];
 - (d) the construction of a footbridge over the railway in (a) to carry Public Footpath FP 129/3 [being Work No 8];
 - (e) the construction of a footbridge at Tubbs Lane to carry Public Footpath FP 129/3 [being Work No 9];
 - (f) the installation of full barriers, traffic lights and CCTV at the London Road crossing;
 - (g) the reconstruction of Bicester Town station with two platforms up to 200m in length, a booking hall and waiting facilities, a footbridge with lifts, single decked and at-grade parking for up to 520 vehicles; cycle parking, pedestrian access, pick up and drop-off facilities at both sides of the railway;
 - (h) the widening and reinforcement of the embankments, where necessary;
 - (i) reconstruction and extension of the A41 overbridge [being Work No 10];
 - (j) construction or reconstruction of drainage culverts;
 - (k) installation of necessary plant, signalling, electrical and mechanical equipment or apparatus required for operation of the railway;
 - (l) erection of the necessary boundary fencing, lighting and signage;
 - (m) the realignment of Station Approach, alterations to the junction with London Road and the creation of new vehicular and pedestrian accesses to London Road;
 - (n) temporary use of land for construction, access, storage and as a worksite;

- (o) the creation, if necessary of replacement open space on land to the East of Charbridge Lane and its change of use to that purpose;
 - (p) landscaping works in the vicinity of the Bicester Town station on both sides of the railway and at Tubbs Lane;
 - (q) any other works required for, or ancillary to, the construction, operation and maintenance of the railway, including maintenance access;
 - (r) any works necessary for the stopping up of the existing public crossing at Tubbs Lane and the existing public footpath, North of Gavray Drive;
 - (s) any works necessary for the diversion and re-connection of public footpaths, bridleways and private access roads; and
 - (t) widening of under bridges OXD37 and OXD38.
2. Between the south west face of the A41 overbridge at Bicester and the Bletchington Road over bridge at Islip station:
- (a) the laying of a double track railway (about 10,000m in length) on the course of the existing railway commencing at the A41 over bridge and terminating at the Bletchington Road over bridge, Islip station [being part of Work No. 2];
 - (b) the laying of a single track railway siding (about 400 m in length) alongside (a) and connections into the Exchange Sidings at Bicester Depot, [being Works 4, 4A and 5];
 - (c) the reinforcement and widening of the embankments, where necessary, including the construction of retaining walls;
 - (d) the construction of a road bridge over the railway east of Elm Tree Farm to replace the level crossing at Langford Lane and the existing accommodation crossing [being part of Work No 11];
 - (e) the construction of a highway for vehicular traffic from Wendlebury Road via the bridge in (d) to Langford Lane [being part of Work No 11];
 - (f) the construction of an electricity supply building at (d);
 - (g) the construction of turning heads, on each side of the railway, adjacent to the Langford Lane crossing;
 - (h) the construction of a footbridge over the railway at Merton crossing to carry Public Footpath FP 398/3 and the diverted public footpath [FP3984/4][being Work No 12];
 - (i) the construction of an accommodation road bridge over the railway south of Holts Farm to replace, the BBONT Bridleway [BW157/4] and Holts Farm occupation crossings, with connecting highway and private accommodation roads and the resiting of a farm building [being Work No 13 and ancillary works];
 - (j) the construction of a road bridge over the railway and connecting highway, 150m east of the Oddington level crossing to replace the Oddington Road AOCL crossing [being Work No 14];

- (k) the construction of a footbridge over the railway at the existing Oddington No 5 crossing to carry Public Footpath FP 318/5 [being Work No 15];
 - (l) the construction of an extended platform, up to 160 m in length, on the east side of the railway at Islip station, the provision of ticket machine and waiting facilities and consequential alterations to the existing car park and highway access;
 - (m) the construction of two platforms, up to 200 m in length, on both sides of the railway at Islip station, replacing the platform in (l), a footbridge, ticket machines and waiting facilities, a ramped path from Bletchingdon Road to the west side platform and 2 additional disabled parking bays;
 - (n) construction or reconstruction of drainage culverts;
 - (o) installation of necessary plant, signalling, electrical and mechanical equipment or apparatus required for operation of the railway;
 - (p) erection of the necessary boundary fencing, lighting and signage;
 - (q) temporary use of land for construction access, storage and as a worksite;
 - (r) landscaping works in the vicinity of Works 11,12,13, 14 and 15 and at Islip station;
 - (s) any other works necessary for the operation of the railway, including maintenance access;
 - (t) any works necessary for the stopping-up of existing public crossings at Langford Lane, Merton, Wendlebury, Beebont and Oddington Road;
 - (u) any works necessary for ecological mitigation;
 - (v) any other works necessary for the diversion and re-connection of public footpaths, bridleways and private access roads; and
 - (w) widening of underbridges OXD39 and OXD40.
3. Between the Bletchingdon Road overbridge at Islip Station and Peartree Hill Farm:
- (a) the laying of a double track railway (about 4,400 metres in length) on the course of the existing railway commencing at the Bletchingdon Road over bridge to the south west of Islip station and terminating at Peartree Hill Farm [being part of Work No. 2];
 - (b) the laying of sidings alongside and connected to the railway in (a), (about 500 metres in length) 400m north east of the A4165 Oxford Road over bridge for use as an aggregates rail depot [being Work No. 6];
 - (c) reinforcement of the embankments, where necessary, including the construction of retaining walls;

- (d) the construction of a foot and equestrian bridge over the railway, about 150 m north east of the existing Islip level crossing to replace, in part, that crossing [being Work No. 16];
- (e) the reconstruction of the superstructure to Mill Stream and Cherwell viaducts carrying the railway;
- (f) the construction of a road bridge over the railway at Water Eaton No 5 crossing to replace the Northfield Farm accommodation over bridge, which will be demolished, to carry Bridleway BW 229/5, including farm accommodation roads on both sides of the railway [being Work No. 17];
- (g) the relocation of the existing aggregates depot, known as the Banbury Road sidings (Water Eaton), to a site about 400m north east of the A4165 over bridge, including construction of a new access road from the signalised junction with the A4165 Oxford Road to the aggregates terminal, the access road being mainly within the existing Park and Ride site;
- (h) the demolition of the former grain silos and other buildings and construction of Water Eaton Parkway station, including two platforms, up to 200m in length, a booking hall and waiting facilities, footbridge with lifts, an at-grade and partly single decked car park for up to 1,100 vehicles, pick-up and drop-off facilities;
- (i) the construction of a footbridge over the railway at Water Eaton No 10 crossing to replace that crossing for Public Footpath FP 229/10; [being Work No. 18];
- (j) construction or reconstruction of drainage culverts;
- (k) installation and diversion of necessary utilities, plant, signalling, electrical and mechanical equipment and apparatus required for operation of the railway;
- (l) erection of the necessary boundary fencing, lighting and signage;
- (m) improvements to the signalised access junction between the Park and Ride site and the station and the A4165 Oxford Road, the creation of new cycle and pedestrian accesses and bus stops on Oxford Road and consequential alterations to the layout of the Park and Ride site;
- (n) temporary use of land for construction access, storage and as a worksite;
- (o) landscaping works in the vicinity of Works No. 6, 16, 17 and 18, the Water Eaton Parkway station and the aggregates terminal;
- (p) any other works necessary for the operation of the railway, including maintenance access;
- (q) any works required for the stopping-up of public crossings at Islip, Northfield Farm, Water Eaton No 5, Water Eaton No 4 and Water Eaton No 10;
- (r) any works necessary for ecological mitigation; and

- (s) any works necessary for the re-connection and diversion of public footpaths and bridleways.

In the administrative area of Oxford City Council:

4. Between Peartree Hill Farm and Oxford station:

- (a) the laying of a double track railway (about 3,200 metres in length) on the course of the existing railway commencing at Peartree Hill Farm and terminating at the Oxford North Junction, including a lowered track alignment through the Wolvercot tunnel, with retaining structures and drainage in and adjacent to the tunnel [being part of Work No. 2];
- (b) the laying of a single track railway (about 1,850 metres in length) on the existing formation, commencing at Oxford North Junction and terminating in two bay platforms at Oxford station [being Works No. 3 and 3A];
- (c) the laying of a crossover track at Oxford North Junction (about 200 metres in length) [being Work No. 7];
- (d) reinforcement of the embankments and cuttings, where necessary, including the construction of retaining walls;
- (e) the reconstruction of First Turn Bridge;
- (f) the strengthening of the Castle Mill Stream Bridge and the construction of two bridge spans across the Rewley Abbey Stream (also know as the Sheepwash Channel);
- (g) accommodation works to enable the closure of Aristotle Lane occupation crossing, including a pedestrian ramp and improvements to Aristotle Lane footbridge;
- (h) the construction of two platforms, about 150 m in length, ticket and waiting facilities on the site of the former parcels depot and platforms at Oxford station;
- (i) the construction of a two storey building for ancillary storage and railway use at Oxford station;
- (j) construction or reconstruction of drainage culverts;
- (k) installation and/or diversion of necessary utilities, plant, signalling, electrical and mechanical equipment and apparatus required for operation of the railway;
- (l) erection of the necessary boundary fencing, lighting and signage;
- (m) the rearrangement of short term and staff parking to the east of Oxford station;
- (n) temporary use of land for construction access, storage and as a worksite;
- (o) landscaping works in the vicinity of the Rewley Abbey Stream (also know as the Sheepwash Channel) Bridge and at Oxford station;

- (p) any other works necessary for the operation of the railway, including maintenance access;
- (q) any works necessary for the stopping-up of the Aristotle Lane occupation crossing; and
- (r) any works necessary for ecological mitigation.

APPENDIX 2

CONDITIONS PROPOSED TO BE ATTACHED TO THE DIRECTION FOR DEEMED PLANNING PERMISSION

In these conditions, unless the context otherwise requires:

“building” means any structure or erection, above the surface of the ground, but does not include any level crossing barrier, traffic light or sign or any plant or machinery;

“the development” means the works authorised by the Order:

“the Draft Code of Construction Practice means the code published on 6 August 2010, being CD/1.24;

“the Environmental Statement” means the Statement submitted with the application for the Order on 6 January 2010;

“the Design and Access Statement” means the Statement submitted with the application for the Order on 6 January 2010 and revised on [05 November 2010], being CD/19/1;

“the local planning authority” means the Cherwell District Council or the Oxford City Council, as the context requires;

“the Noise and Vibration Mitigation Policy” means the Policy, published on 20 October 2010, being CD/1.29;

“the Order” means The Chiltern Railways (Bicester to Oxford Improvements) Order 201[X];

“the Order limits” has the same meaning as in Article 2 of the Order

“Phase” means a set of works or elements of the development intended to be constructed, as described in the Environmental Statement as Phase 1, 2A or 2B; and

“Individual Section” means a defined geographical part and/or Phase of the development, normally a length of the railway or a station site, the extent of which has been submitted to and approved by the local planning authority; and

references to numbered works are references to the Works set out in Schedule 1 to the Order.

1. Time limit

The development shall commence no later than the expiration of five years beginning with the date that the Order comes into force.

Reason: to ensure that the development is begun within a reasonable period of time.

2. Development Sections

No development shall commence until a scheme (which may be amended or varied in whole or part from time to time with the approval of the local planning authority) setting out the division of the development into Individual Sections has been submitted to and approved by the local planning authority. The

scheme shall include details of all land to be occupied permanently or temporarily during the construction of each section.

Reason: in order to identify development sections for the purpose of these conditions.

3. Design, external appearance and materials

No works in respect of the items listed below shall be commenced until details of the layout, scale, appearance and facing materials of that item has been submitted to and approved by the local planning authority:

- (a) the station buildings, platforms, footbridge and canopies at Bicester Town Station;
- (b) the car parks, vehicular and pedestrian access arrangements at Bicester Town Station;
- (c) the Phase 1 extended platform and waiting facilities at Islip Station;
- (d) the Phase 2B platforms, waiting facilities, footbridge, pedestrian ramp and any new car parking provision at Islip Station;
- (e) the station buildings, platforms, footbridge and waiting facilities at Water Eaton Parkway Station;
- (f) the car park, vehicular and pedestrian access arrangements at Water Eaton Parkway Station;
- (g) the layout of the vehicular access road to the rail aggregates depot and car park at Water Eaton Parkway Station;
- (h) the station buildings, platforms and waiting facilities at Oxford Station;
- (i) any alterations to vehicular and pedestrian access arrangements at Oxford Station;
- (j) any other foot or vehicular bridge which is new or is to be substantially reconstructed [where described as a numbered Work in Schedule 1 to the Order];
- (k) the layout of the vehicular road from Wendlebury Road to Langford Lane, intended to replace the Langford Lane level crossing;
- (l) any other building that is to be greater than 25 square metres footprint; and
- (m) any office buildings, weighbridges and other fixed plant to be provided on the replacement rail aggregates depot at Water Eaton.

The design, layout and appearance and facing materials of the stations and the design of any bridges shall conform generally to those set out in the Design and Access Statement.

Reason: to enable proper control to be exercised over the design of the development and to protect sites of archaeological or ecological importance.

4. **Fencing and Means of Enclosure**

No Individual Section of the development shall commence until details of any new permanent boundary fencing or other means of enclosure, which abuts a highway, residential or commercial premises within that section of the development, have been submitted to and approved by the local planning authority.

Reason: to protect the amenity of residents, occupiers and highway users.

5. **Landscaping**

5.1 No later than six months after the commencement of the **Individual Section** of the development to which it relates, a landscaping scheme, covering the locations where landscaping will be undertaken mentioned in paragraph 5.2 of this condition shall be submitted to the local planning authority for approval. That scheme shall include the details of:

- (a) any structures, such as street furniture, fencing and lighting, save those which may be provided by the highway authority or a local authority,
- (b) any trees or shrubs to be planted, including the location, number, species, size and planting density; and
- (c) any earth screen bunds to be provided at the replacement rail aggregates depot; and
- (d) any other soft landscaping.

5.2 The locations at which landscaping will be undertaken are:

- (a) the vicinity of the Bicester Town Station on both sides of the railway;
- (b) Tubbs Lane;
- (c) in the vicinity of Work Nos. 11, 12, 13, 14 and 15;
- (d) at Islip Station;
- (e) in the vicinity of Work Nos. 6, 16, 17 and 18;
- (f) at the Water Eaton Parkway Station and the rail aggregates depot;
- (g) in the vicinity of Rewley Abbey Stream (also known as Sheepwash Channel) Bridge; and
- (h) at Oxford Station.

Reason: to ensure appropriate landscaping of the development.

6. **Implementation and Maintenance of Security Fencing**

The railway, including any construction sites, shall remain securely fenced at all times during construction and any temporary fencing shall be removed on completion. Any new permanent boundary fencing throughout the route shall be completed before the station at Water Eaton Parkway is brought into use. Such fencing shall be maintained in a secure condition by Chiltern Railways until

the expiry of a period of three years from completion, or until the land and works are transferred to Network Rail, whichever is the sooner.

Reason: to ensure public safety.

7. **Implementation and Maintenance of Landscaping**

All landscaping works shall be undertaken in accordance with the appropriate landscaping scheme, approved under Condition 5. Unless otherwise agreed by the local planning authority, planting shall take place no later than the first available planting season after the completion of the adjacent buildings and hard surfaced areas.

Any tree or shrub planted as part of an approved landscaping scheme that, within three years of the date of planting, is removed, dies or becomes, in the opinion of the local planning authority, seriously damaged or seriously diseased, shall be replaced in the first available planting season with a specimen of the same species and size as the original planted, unless otherwise agreed by the local planning authority.

Reason: to ensure satisfactory implementation of the landscaping.

8. **Archaeology**

The development shall not commence in respect of an Individual Section until a Written Scheme for the Investigation (WSI) of archaeological potential within that Section has been submitted to and approved by the local planning authority. The WSI shall provide for a programme of further detailed walk-over surveys and document study of the route within the relevant limits; non-intrusive and intrusive investigation before construction is commenced in any location where this is necessary; protection of remains, where these are to remain in-situ; watching briefs during construction, where these are necessary; the photographic recording of structures, in particular the Mill Stream and Cherwell viaducts; preservation of finds and publication of the results of the investigation.

Construction of the replacement road from Wendlebury Road to Langford Lane and the bridge over the railway (being Work No 11) shall not commence until details of the measures to avoid (including minor realignment of the road within limits), protect (including raising the road where achievable) and record archaeological remains has been submitted to and approved by the local planning authority, in consultation with English Heritage, the Oxfordshire County Council Archaeologist and the Environment Agency, and the approved field evaluation has been completed.

Reason: to ensure adequate protection and recording of historic features and archaeological remains.

9. **Protection and Enhancement of the Swing Bridge at Rewley Abbey Stream.**

No development shall commence on the Railway Bridge across the Rewley Abbey Stream (otherwise the Sheepwash Channel) until a scheme for the protection of the Swing Bridge, which is a Scheduled Monument, and the improvement of fencing and footpaths around the Scheduled Monument has been submitted to and approved by the local planning authority, in consultation with English Heritage and the Oxford Preservation Trust.

Reason: to ensure the protection of the bridge during construction and to assist in the conservation of the Swing Bridge.

10. **Contaminated Land**

No development shall commence at Bicester Town, Islip, Water Eaton Parkway or Oxford stations or at the sites of the proposed bridges, **or otherwise** where significant groundworks are **proposed**, until a scheme to investigate, assess and, if necessary, **remediate** contamination at that location, which is likely to cause significant harm to persons, pollution of controlled waters or the environment within that section has been submitted to and approved by the local planning authority, in consultation with the Environment Agency.

Any remedial measures shall be undertaken before development at that location is commenced, unless otherwise agreed by the local planning authority.

Upon completion of the approved remedial measures at each location, a **verification report that demonstrates that the agreed remediation has been completed and setting out any necessary longer term monitoring and maintenance required shall be submitted to the local planning authority and the Environment Agency.**

If during development, contamination not previously identified is found to be present on the site, no further construction shall be undertaken, unless otherwise agreed by the local planning authority, until a scheme to assess and remediate that contamination, to the extent necessary, has been submitted to and approved by the local planning authority, in consultation with the Environment Agency.

Reason: to ensure that any necessary remediation is undertaken.

11. **Flood Risk Assessment and Surface Water Drainage Assessment**

The development shall be undertaken in accordance with the approved Revised Level 2 Flood Risk Assessment, dated July 2010. No construction of any one of the following elements of development shall commence until a Level 3 Flood Risk Assessment of that element, suitable to the scale and nature of that element, has been submitted to and approved by the local planning authority, in consultation with the Environment Agency; AP1 Bicester Chord; AP3 Bicester Town station; AP4 A41 overbridge; AP6 replacement Langford Lane overbridge; AP7 Merton footbridge; AP13 Water Eaton No 5 overbridge; AP17 Aristotle Lane works and AP18 the Rewley Abbey Stream bridge. The Level 3 FRAs shall follow the methodology set out in the Flood Storage and Compensation Technical Note, dated July 2010, agreed by the Environment Agency. Each FRA shall demonstrate that that element of the development, taken together with other relevant works in the same catchment will not increase flood risk through alterations to fluvial flood flows or reduction in fluvial flood water storage.

No construction of any one of the following elements of development shall commence until a surface water drainage assessment and scheme for that element has been submitted to and approved by the local planning authority, in consultation with the Environment Agency: AP1 Bicester Chord; AP2 Tubbs Lane footbridge; AP3 Bicester Town station; AP4 A41 overbridge; AP6 replacement Langford Lane overbridge; AP7 Merton footbridge; AP8 Holts Farm overbridge; AP9 Oddington No 5 footbridge; AP10 Oddington overbridge; AP11 Islip station in Phase 1; AP11 Islip station in Phase 2; AP13 Water Eaton No5 overbridge; AP14 Water Eaton Parkway station and car park; AP15 Gosford and Water Eaton

No 10 footbridge; AP17 Aristotle Lane works; AP18 Rewley Abbey Stream bridge and AP19 Oxford station. The surface water drainage assessments shall follow the methodology set out in the Scope of Surface Water Drainage Assessment, July 2010, agreed by the Environment Agency. Each surface water drainage assessment shall demonstrate that surface water discharge rates and volumes from that element of the development, taken together with other relevant works in the same catchment, can be maintained at or below the agreed limits, using sustainable drainage techniques.

The level crossing at Mill Lane Islip shall not be closed permanently until a detailed assessment of any increase in flood hazard, in particular the safe access and egress of residents of properties in Mill Lane and Mill Street, and practicable mitigation measures have been submitted to and approved by the local planning authority in consultation with the Environment Agency.

Reason: To prevent the increased risk of flooding through an appropriate hierarchy of flood risk management, improve and protect water quality, enhance habitat and amenity and ensure future maintenance of surface water drainage systems.

12. **Water Pollution Control**

In carrying out the development, all reasonable steps shall be taken to prevent the pollution of watercourses and groundwater, including the following:

- (a) no contaminated material, or polluting construction or demolition material or refuse, shall be deposited within the Order limits;
- (b) no water from the construction areas shall be permitted to discharge to any watercourse, well, spring or soakaway, if it is contaminated with foul sewage, suspended soil or other pollutant;
- (c) the details of the design and construction of any storage facilities for oils, fuels or chemicals shall be submitted to and approved by the local planning authority before that facility is installed; and
- (d) no water shall be permitted to discharge into or onto contaminated land.

Reason: to ensure that pollution of watercourses and groundwater is prevented.

13. **Protection of National and European Designated Sites**

No **Individual Section** of development shall commence within 500 metres of the European designated site, the Oxford Meadows Special Area of Conservation (SAC), or of the following Sites of Special Scientific Interest, namely (i) the Wendlebury Meads and Mansmoor Closes SSSI and (ii) the Hook Meadows and Trap Grounds SSSI, until a Method Statement identifying the means of construction to be employed on that Section of the development so that the works comprised in that Section shall not adversely affect the nature conservation interest of any designated site and its reasons for designation, has been submitted to and approved by the local planning authority, in consultation with Natural England.

Reason: to ensure that identified **Special Area of Conservation** and the Sites of Special Scientific Interest are properly protected.

14. **Restoration of Land Used Temporarily for Construction**

Any land within the Order limits, which is used temporarily for construction shall be restored to its former condition, or such condition as the local planning authority may approve, within one year of completion of the permanent works.

Reason: to protect amenity and restore landscape and habitats.

15. **Code of Construction Practice**

No development shall commence until a Code of Construction Practice, which shall cover all matters specified in the Draft Code of Construction Practice, has been submitted to and approved by the local planning authority, **in consultation with the Environment Agency.**

Reason: to protect residents and amenity during construction.

16. **Operational Noise Monitoring and Mitigation**

No later than six months after commencement of development within each **Individual Section** a detailed assessment of likely noise impacts during operation of Phase 1 (and such other phases as are being constructed at the same time) of the railway works and details of proposed mitigation measures, which achieve the standards for noise and vibration attenuation set out in the **Noise and Vibration Mitigation Policy**, shall be provided to the local planning authority. All mitigation measures, including those prescribed in the Noise Insulation Regulations 1996, required for Phase 1 (and such other phases as are being constructed at the same time) shall be undertaken as soon as possible after commencement of the works and no later than the date on which Chiltern Railways commence a passenger rail service **on the railway comprised in the development.**

Before the commencement of the laying of the second track between the MoD Depot at Bicester and Islip, which is the principal component of the Phase 2 works, a detailed assessment of the likely noise impacts of the additional services likely to operate under Phase 2 and details of proposed mitigation measures, which achieve the standards of noise attenuation set out in the Noise and Vibration Mitigation Policy shall be provided to the local planning authority. All mitigation measures, including those prescribed in the Noise Insulation Regulations 1996, required for Phase 2 shall be undertaken as soon as possible after commencement of the works and no later than the date on which the second track is brought into use.

Reason: to ensure that operational noise is adequately mitigated at nearby residential premises.

17. **Aggregates Depot Rail Use**

Aggregates shall only be brought onto the aggregates depot site at Water Eaton by rail.

Reason: to protect the amenity of the area and the integrity of the highway network.

18. **Aggregates Depot Throughput**

The weight of aggregates or aggregate products leaving the depot by road shall not exceed 350,000 tonnes in any one calendar year.

Reason: to protect the amenity of the area and the integrity of the highway network.

19. Monitoring of Aggregates Depot Throughput

From the date of commencement of use of the rail aggregates depot, records of the weight of aggregates leaving the site by road shall be maintained and made available to the local planning authority on request.

Reason: to enable enforcement of condition 20.

20. Height of Stored Aggregates

The height of any stockpiles of stored aggregate shall not exceed 8 metres or the height of the earth bunds approved under condition 5.1, if higher.

Reason: to protect the visual amenity of the area and maintain the openness of the Green Belt.

21. Aggregates Depot Floodlighting

No floodlighting shall be erected or used at the rail aggregates depot site, except in accordance with a scheme submitted to and approved by the local planning authority.

Reason: to limit light spill and protect the visual amenity of the area.

22. Aggregates Depot Hours of Operation

No HGVs shall enter or leave the aggregates depot, nor shall loading or unloading of trains take place except during the following hours: 06.00 to 19.00 Monday to Friday and 06.00 to 13.00 on Saturday. No such operations shall take place on Sundays or Bank Holidays.

Reason: to protect the amenities of local residents.

23. Aggregates Depot Sheeting of Lorries

No loaded aggregates vehicles shall leave the depot unsheeted.

Reason: in the interests of highway safety and the local environment.

24. Aggregates Depot Control of Dust and Debris

The use of the rail aggregates depot shall not commence until a scheme to minimise the emissions of dust has been submitted to and approved by the local planning authority. No vehicle leaving the depot site shall emit dust or deposit mud, slurry or other debris on the highway.

Reason: to protect the amenities of the area and in the interests of highway safety.

25. Approvals

Where under any of these conditions, the approval of the local planning authority is required, all such approvals shall be given in writing.

Reason: to ensure that approvals are properly recorded.

26. **Implementation**

All works or matters which require approval under these conditions shall be carried out in accordance with that approval, unless otherwise approved by the local planning authority.

Reason: to ensure that these works or matters are implemented as approved.

APPENDIX 3

STATEMENT OF RESERVED MATTERS

The following matters are intended to be reserved for subsequent approval by the relevant local planning authority under the application for a direction for deemed planning permission for the development provided for in the proposed order under section 90(2A) of the Town and Country Planning Act 1990:

1. Details of the layout, scale, appearance and facing materials in respect of:
 - (a) the station buildings, platforms, footbridge and canopies at Bicester Town Station;
 - (b) the car parks, vehicular and pedestrian access arrangements at Bicester Town Station;
 - (c) the Phase 1 extended platform and waiting facilities at Islip Station;
 - (d) the Phase 2 platforms, waiting facilities, footbridge, pedestrian ramp and any new car parking provision at Islip Station;
 - (e) the station buildings, platforms, footbridge and waiting facilities at Water Eaton Parkway Station;
 - (f) the car park, vehicular and pedestrian access arrangements to Water Eaton Parkway Station;
 - (g) the layout of the vehicular access road to the rail aggregates depot and car park at Water Eaton Parkway Station;
 - (h) the station buildings, platforms and waiting facilities at Oxford Station;
 - (i) any alterations to vehicular and pedestrian access arrangements at Oxford Station;
 - (j) any other foot or vehicular bridge which is new or is to be substantially reconstructed [where described as a numbered Work in Schedule 1 to the Order];
 - (k) the layout of the vehicular road from Wendlebury Road to Langford Lane, intended to replace the Langford Lane level crossing;
 - (l) any other building that is to be greater than 25 sq metres footprint; and
 - (m) any office building, weighbridges and other fixed plant to be provided on the replacement rail aggregates depot at Water Eaton.

2. Details of any new permanent boundary fencing or other means of enclosure, which abuts a highway, residential or commercial premises.
 3. A landscaping scheme, covering the locations where landscaping will be undertaken mentioned in 3.2 of this condition including details of:
 - (a) any structures, such as street furniture, fencing and lighting, save those which may be provided by the highway authority or a local authority,
 - (b) any trees or shrubs to be planted, including the location, number, species, size and planting density; and
 - (c) any other soft landscaping.
- 3.1 The locations at which landscaping will be undertaken are:
- (a) the vicinity of the Bicester Town Station on both sides of the railway;
 - (b) Tubbs Lane;
 - (c) in the vicinity of Works 11, 12, 13, 14 and 15;
 - (d) at Islip Station;
 - (e) in the vicinity of Works No 6, 16 , 17 and 18;
 - (f) at the Water Eaton Parkway Station and the aggregates depot;
 - (g) in the vicinity of the Rewley Abbey Stream (also known as Sheepwash Channel) Bridge; and
 - (h) at Oxford Station.

**DEPARTMENT FOR TRANSPORT
2010**

Transport and Works Act 1992

**Transport and Works (Applications and
Objections Procedure) (England and
Wales) Rules 2006**

**THE CHILTERN RAILWAYS (BICESTER
TO OXFORD IMPROVEMENTS) ORDER**

**Request for Direction under section
90(2A) of the Town and Country
Planning Act 1990, conditions to be
attached to the Direction and
Statement of Reserved Matters**

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