

OBJ/195/2



Campaign to Protect
Rural England
OXFORDSHIRE

**The Chiltern Railways (Bicester to Oxford Improvements) Order -
January 2010 (Evergreen 3)**

TRANSPORT AND WORKS ACT INQUIRY

**Proof of Evidence
of CPRE Oxfordshire**

(Campaign to Protect Rural England)

Alan Jones CPRE Oxfordshire

Ref. TWA/10/APP/02/OBJ/195

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CPRE Oxfordshire : Proof of Evidence

Public Inquiry into the TWAO Application by Chiltern Railways

1. Introduction

1.1 I am Alan Jones. I am currently the Chairman of the CPRE Oxfordshire Branch and their Planning Advisor. I am a Retired Member of the Royal Town Planning Institute. I was previously a planner in local government for 34 years.

1.2 The Campaign to Protect Rural England is the foremost campaigning organisation for the countryside and for the interests of those who live in it or enjoy it. The CPRE Oxfordshire branch was founded in 1931 and was instrumental in the eventual creation of the Oxford Green Belt in the 1950s. The creation and protection of the Oxford Green Belt as the unique setting of the historic city of Oxford has been one of the key achievements of CPRE Oxfordshire. Our aim is to promote the beauty, tranquillity and diversity of rural Oxfordshire by encouraging the sustainable use of land and other natural resources in town and country. The Oxford Green Belt continues to be one of our primary concerns.

1.3 Whilst CPRE Oxfordshire is supportive of measures to promote more sustainable travel and sustainable development, our countryside is a precious and finite resource and the openness of the Oxford Green Belt requires constant protection from the threat of creeping urbanisation.

1.4 As indicated in our initial response and Statement of Case, there are many elements of the proposed improvements we would support, but we have consistently highlighted a number of significant concerns about the potential impacts of this complex scheme which, as far as we are aware, remain unresolved, or not adequately resolved, at the time of writing. We gather, from the information presently available from Chiltern Railways and Oxfordshire County Council, that on several significant issues negotiations are continuing and further key information is to be provided just prior to or at the inquiry itself. We have therefore had to base our proof of evidence for the inquiry on the information which is readily available. If, as we assume, further detailed submissions are to be made by the applicants before or at the inquiry, CPRE trusts that there will be reasonable opportunity to address this additional evidence if it relates to the issues we have raised.

1.5 We have decided for purposes of this inquiry to focus our submissions on the Oxford Green Belt and the Water Eaton proposals in particular, on the basis that:

- this is where the greatest potential impacts on the Green Belt are likely to be felt.
- the Water Eaton proposals raises complex planning and transport issues.
- the new Parkway station raises important “strategic” questions as well as local impact issues.

1.6 There are other issues on which CPRE expressed concerns in our initial response and Statement of Case, such as impacts at Bicester and Islip stations and on a number of rights of way, but we understand that in the main these issues are being gradually resolved with the relevant bodies and we trust that any outstanding matters will be assessed and resolved by this inquiry. We therefore do not propose to make further submissions on these matters.

1.7 CPRE believes that all these issues – whether strategic or local in nature - are of considerable significance for the City and its sub-region, its Green Belt setting and local transport networks. We trust that they will be examined comprehensively and properly at this public inquiry as part of the TWA process.

1.8 Our evidence will be set out as follows:

- Elements of scheme CPRE Oxfordshire would support in principle.
- Concerns relating to impact of Water Eaton Parkway station proposals on the openness and integrity of the Oxford Green Belt.
- Concerns relating to impact on existing OCC Water Eaton Park and Ride facility.
- Concerns relating to the rail aggregates depot at Water Eaton.
- Concerns relating to the Materials Recycling Facility (MRF) at Water Eaton.
- Concerns relating to wider impacts and pressures on Kidlington/ Water Eaton/ northern Oxford area.
- Potential conditions/restrictions if scheme proceeds

2. Elements we would support in principle

2.1 We would welcome and support the broad objectives of the Chiltern Railways Scheme, i.e. in tackling congestion, addressing under capacity in the rail network, and addressing infrastructure needs to promote more sustainable travel and sustainable development.

2.2 We would also welcome and support in principle promoting modal shift to public transport as a result of increased capacity, improvements to rail passenger services, and improved integration with other elements of the public transport network.

2.3 There are also a number of local traffic and transport benefits of the Scheme that we support in principle.

2.4 However, we would emphasise that there are elements of the above which are likely to have adverse impacts and raise important questions, some of a strategic nature and some more localised, and these issues should be examined thoroughly at the public inquiry.

2.5 CPRE's concerns and arguments are set out below.

3. Water Eaton Parkway Station proposals and impacts on the Oxford Green Belt

3.1 CPRE has serious concerns about protecting the Oxford Green Belt from development which threatens its openness and integrity.

3.2 These concerns are fully acknowledged in section 4 of Chiltern Railways Planning Statement which rehearses the relevant planning issues and arguments and also sets out the five main purposes of the Green Belt (CD/1.14). Great importance is placed on protecting Green Belt and substantial weight will be attached to any harm to the Green Belt. The fundamental aim of Green Belt policy in PPG2 Green Belts is to prevent urban sprawl by keeping land *permanently open*. In Oxford's case we would also emphasise the purpose "*to preserve the setting and special character of historic towns*".

3.3 Much of the proposed development at and adjacent to Water Eaton is located within the Oxford Green Belt. The creation and protection of the Oxford Green Belt as the unique setting of the historic city of Oxford has been one of the key achievements of CPRE Oxfordshire. However, there are constant pressures on this fragile area of land, especially the relatively narrow gap of Green Belt between the built up areas of Kidlington and Oxford known as the "Kidlington Gap".

3.4 As the County Council succinctly explained in their Statement of Case (see Concern 1: Green Belt):

"The conservation of Oxford's heritage, which is of international importance, has been recognised as planning policy since the 1940s. The achievement of that objective cannot be realised without strict restraint of development pressures which might damage the character of the City through increased scale of activity, traffic and the outward sprawl of the urban area. Similarly the character of Oxford in a rural setting cannot be maintained without the protection of the spatial relationship of Oxford with nearby settlements and the maintenance of the character of the intervening countryside. It was against this background that the Oxford Green Belt was approved."

3.5 The key policy issues under PPG2 are:

- (a) Whether the development now proposed is "inappropriate development" – which is considered by definition to be harmful to the Green Belt; and
- (b) If it is indeed "inappropriate development", whether "very special circumstances" have been demonstrated, whereby any harm is clearly outweighed by other considerations, eg the transport and other benefits.

3.6 The Parkway Station proposals will therefore need to be carefully balanced against the environmental impacts on the Green Belt and will have to meet the relevant planning policy “tests” of PPG2.

3.7 One of the fundamental questions is why the new parkway station has to be located in the Green Belt, whether the Water Eaton site is strategically the optimum site or most “sustainable” site for a major Parkway Station/ transport interchange to serve the Oxford area, and whether the scheme has to be of this scale. Chiltern have put forward evidence about their consideration of the alternatives and their conclusion that, despite its impacts on the Green Belt, Water Eaton is the best site available. We understand that the County Council have agreed with Chiltern that a detailed “sequential test” report should be submitted to the County for them to make a final judgment on this crucial issue and we understand this may be submitted prior to the inquiry. In our view this is an important piece of evidence in relation to the policy tests and we assume it should be made available to all parties at the inquiry at the earliest opportunity.

3.8 The Water Eaton site has become a complex group of land uses within the Green Belt and has already had a controversial planning history. The OCC Water Eaton Park and Ride - originally applied for in 1996 - was only allowed after much amendment in January 2001, to add to the existing aggregates rail depot and the disused grain silo site. In March this year, Grundons finally received planning permission to replace the grain silo with the Materials Recovery Facility (MRF). Now we have the proposals for a major Parkway station/ transport interchange to serve Oxford. Some would argue it is becoming the proverbial “quart into a pint pot”.

3.9 It is clear that Chiltern Railways wish to take up all the land between the Water Eaton Park and Ride and the rail line, which will effectively displace both the aggregates rail depot and the MRF on the grain silo site. Chiltern are proposing that the aggregates rail depot will be relocated to an adjacent area of Green Belt agricultural land. There are no plans to find an alternative location for the MRF as far as we know. We accept that removal of the disused grain silo is overdue, but it is very regrettable after all this time that another piece of Green Belt will be sacrificed to achieve that.

3.10 In the Oxford Green Belt there is a policy presumption (PPG2) against “inappropriate development”. We would argue that the railway station buildings and associated uses, such as car parking and the relocated aggregates rail depot, would all have to be classed as “inappropriate development”.

3.11 Inappropriate development should not be approved, except where “very special circumstances” have been demonstrated, whereby any harm is clearly outweighed by other considerations. The Chiltern Planning Statement accepts it is a substantial “inappropriate

development.” within the Green Belt, but is relying on the “very special circumstances” ie benefits in delivering sustainable transport objectives.

3.12 Welcome though the package of rail improvements might be, CPRE would ask the inquiry to consider : is the proposed scheme really the optimum outcome for the Green Belt in terms of openness and visual impacts - and the optimum layout? – with new station structures, a large car park with part decking proposed, the aggregates rail depot moved onto an area of Green Belt agricultural land – and currently no certainty about the MRF proposal.

3.13 We would also ask the inquiry to take into account that overall the scheme will also tend to intensify the “urbanisation” of the narrow gap of Green Belt between Kidlington and Oxford, with for example more urban (or alien) structures in the landscape, greater levels of vehicle activity, and increased light spillage at night.

3.14 Moreover, one of the fundamental aims of Green Belt policy in PPG2 is to prevent urban sprawl by keeping land *permanently* open. And in terms of the *permanence* of the Green Belt at Water Eaton, we would draw attention to the existing OCC Park and Ride which was only permitted in 2001 on the basis that the County Council provided an undertaking that it will be restored to a use compatible with its Green Belt status should the existing Park and Ride use cease. It would appear that the Chiltern proposals, being allied to a railway line of long-standing, do not envisage a temporary status for the Parkway station or the rail aggregates depot. We would ask the inquiry to take this factor into account in weighing the impact and considering necessary conditions.

3.15 We believe providing a modern Parkway station on the outskirts of the City will create a very attractive multi-modal transport interchange for commuters and other travellers. Given the strategic role the Water Eaton station is designed to play in Oxfordshire’s future transport plans, we must question whether sufficient consideration is being given to the likelihood of pressures to expand the Water Eaton site in the not-so-distant future - whether indeed this Scheme should be treated as phase one of a major transport interchange development and assessed accordingly. Chiltern hope this venture will be commercially successful and we believe it is important - and sensible - to examine how the development might impact on the Green Belt in the near future if there are pressures to expand. To meet growing demands Chiltern have carried out significant extensions in the last decade to the capacity of most if not all their station car parks on the Marylebone Line. Pressures for more parking spaces at Water Eaton Parkway could mean:

- a) More decking on site beyond the 160 additional spaces envisaged - which is inappropriate to the Green belt.
- b) Expanding the car parking on to more Green Belt land - which is inappropriate to the Green belt.

c) Parking in nearby streets and settlements – which would be undesirable and a headache to control.

We believe this should be factored in to the judgments about whether the Water Eaton site is strategically the optimum site.

4. Impact on existing Oxfordshire County Council Water Eaton Park and Ride facility

4.1 CPRE has serious concerns that the Water Eaton Park and Ride bus facility and the new Parkway rail station/ interchange must be managed in a coordinated and integrated fashion to avoid the existing Park and Ride being overwhelmed and compromised by car parking demand for the new Parkway station. It is essential for Oxford city's local transport system that adequate capacity is available for the Park and Ride bus users. It is clear that the County Council also has serious concerns about this issue.

4.2 Experience has shown that, as Oxford city centre is so hard to access, the demand on non-central facilities is very high. We would cite the bus interchange facility at the County Council's Thornhill Park and Ride, where long distance buses (ie to London and the airports) are permitted to operate and are generating so much parking that the County Council is having to consider radical measures to manage these pressures and maintain an adequate city Park and Ride service.

4.3 CPRE would argue that there are many critical issues of this kind to be addressed at Water Eaton in creating and managing a major transport interchange for Oxford. It is not clear whether it is envisaged that long distance buses will be permitted to operate from Water Eaton Parkway as part of the transport interchange concept. In view of the additional parking this might generate, in our view these should not be permitted as part of the scheme and should be assessed separately.

4.4 CPRE would argue that it is not at all clear how the new facility will be managed from the information available and the management of this development is not a mere detail, but has direct and serious implications. This raises serious questions about the viability of the Water Eaton proposals, namely whether there will be adequate parking capacity in short/long term, how the twin facilities should be managed and whether enough thought has gone into the planning of a major interchange and dealing with pressures for escalating parking demand. We understand that this is one of the key issues on which the County Council is still seeking undertakings from Chiltern. Again, in our view this is an important piece of evidence and we assume it should be made available to all parties at the inquiry at the earliest opportunity.

5. Rail aggregates depot at Water Eaton

5.1 CPRE notes this is one of only three rail depots in Oxfordshire for crushed rock and the only one close to Oxford. The Scheme proposes to retain the aggregates depot but relocate it further north alongside the railway to a new greenfield site in the Green Belt, together with a new access road from the A4165 around the perimeter of the Park and Ride. We gather the land required to relocate and develop the new rail aggregates depot will be around 1.91 hectares of mostly Grade 3 agricultural land. It is not clear to us why this precise area of land is required and the land take (and visual impact) should be minimised as far as possible.

5.2 We note the new aggregates depot would be classed as “inappropriate development” – which is considered by definition to be harmful to the Green Belt and “very special circumstances” would have to be demonstrated by Chiltern to justify this. The County Council stated in Sept 2009: “it is important that the rail aggregates depot is retained, in either its existing or a suitable nearby location, unless it can be demonstrated that there are other benefits which outweigh this”. CPRE is seriously concerned that the proposed new site would involve the further permanent loss of Green Belt, currently in agricultural use, to what is essentially an industrial use.

5.3 We also understand that if the TWA Order were granted there would be deemed permission for the relocation of the aggregates depot, and although rail-related, we would question whether it is appropriate for Chiltern to seek deemed permission under the TWA for the benefit of another party – ie Hansons, the present operator. On the plus side the existing aggregates depot use is not under planning control and the new site would presumably be under the County Council’s planning control. We would argue that in the circumstances if the aggregates depot use ceased at some point in the future, then the land in question should be returned to a use compatible with the Green Belt – in line with the legal undertaking on the existing Park and Ride site.

5.4 In this context we note that the Gosford and Water Eaton FP no 4 is to be closed and an alternative route proposed. This has been raised in previous submissions by the Ramblers. This highlights the general need for convenient and high quality pedestrian/cycle access to the Parkway station area. We touch on this in the section on wider impacts.

6. Waste Materials Recycling Facility (MRF) at Water Eaton

6.1 CPRE notes that Chiltern wish in effect to acquire the whole of the Grain Silo site, for which Grundons finally obtained planning permission in March 2010 for a Waste Materials Recycling Facility (MRF). This would prevent the implementation of the MRF. It is noted that Grundons subsequently acquired the site in April 2010. We understand the emerging Oxfordshire Minerals and Waste Development Framework (MWDF) has yet to determine whether the Grain Silo site would be a suitable strategic waste site.

6.2 We note Chiltern's view is that the Water Eaton site is essential as the location for the transport facility and, as "very special circumstances" were demonstrated to justify the MRF at Water Eaton, this would "not necessarily preclude other (MRF) sites being deemed suitable within the Green Belt".

6.3 It would be of serious concern to CPRE if the knock-on effect of this scheme was to displace the MRF site and generate further inappropriate development elsewhere in the Oxford Green Belt. As the MRF is we understand designed primarily to serve the Oxford and Kidlington populations, Grundons may well be forced to consider another Green Belt site.

6.4 The County Council has raised concerns, stating in Sept 2009 it would be "strongly preferable for the Water Eaton Parkway Station to be developed in a way which allows for the provision of this important waste facility, unless it can be demonstrated that there are other benefits which outweigh this". Currently it is not clear what position this issue has reached and what the full implications are. There are no plans to find an alternative location for the MRF as far as we know. CPRE contends this should be examined by the inquiry so that the planning position can be clarified.

7. Wider impacts and pressures on Kidlington/Water Eaton/northern Oxford area from Oxford station.

7.1 Cumulative impacts - We believe it is crucial to consider the cumulative impacts of a number of proposals which are coming forward and that this inquiry is the best means of doing that. It is fair to say that neither Cherwell District nor Oxford City have yet produced an up to date planning framework which addresses these matters meaningfully. It is perhaps not helpful in this case that the Water Eaton site lies on the boundary between these two authorities. Oxford is a very congested city, despite good public transport, and the area around the A34 is one of the most congested areas of the whole County, with transport issues that have been unresolved for years. These have recently been considered at the Examination in Public of the Oxford Draft Core Strategy.

7.2 Potential expansion of the Parkway Station - Providing a modern Parkway Station on the outskirts of the City will create a very attractive multi-modal transport interchange for commuters and other travellers. Given the demand for convenient public transport around Oxford and the drawbacks of Oxford's existing station, pressures will mount to expand to meet demands – either sideways or upwards, both with inevitable impacts on the Green Belt and the surrounding local transport network. It will tend to draw car drivers from a wide area. CPRE would argue that the longer term transport issues created by this development (leaving aside the East-West Rail link) should if possible be addressed as part of this inquiry.

7.3 East-West Rail - It is far from clear at this stage what additional impact the East-West Rail link would have on settlements at its western end such as Bicester and Oxford. Oxford will presumably be the principal destination and the only station with real capacity to expand would be Water Eaton Parkway. As far as we can see, little of this has been factored into the current thinking because of the uncertainties and we have serious concerns that increases in associated station/ parking/ highway capacity will have inevitable impacts on the Green Belt and the local transport network. It is our view that the East –West rail issues should be explicitly excluded at this stage and there should be no automatic assumption that Water Eaton Parkway can or should expand its capacity.

7.4 Other local development pressures – The Oxford Draft Core Strategy has promoted the Northern Gateway development (around Pear Tree close to the A34 and Water Eaton) as a “strategic employment site” for several thousand jobs and up to 80,000 sq ms of floorspace. This has proved very contentious and CPRE, amongst others, has strongly objected on the basis it will stoke economic pressures in the City at a time when the emphasis should be on providing housing to achieve a better balance of houses and jobs. The combined effects on the surrounding local transport network (and A34 junction) of the Parkway Station/interchange and the Northern Gateway

would be significant. It is not clear however how this impact is being handled. It emerged at the recent EIP that neither Chiltern or the Northern Gateway Consortium had been asked by the County Council or the Highways Agency to carry out a traffic impact assessment of the cumulative effects of the two developments. It also emerged that the County Council are not satisfied that the Northern Gateway can be made to work in local transport terms – with or without the Chiltern scheme. So logically if the Chiltern scheme proceeds, there appears to be little prospect of the Northern Gateway progressing in the foreseeable future. However, we would be seriously concerned if developers turned their gaze to the Water Eaton site as an attractive transport hub around which to base employment uses. We would ask the inquiry to make it crystal clear that in view of its sensitive Green Belt setting the Water Eaton Parkway Station/interchange should not be viewed as any form of future employment hub.

7.5 Reconfiguration of local transport network – CPRE believes that if the Parkway station proposal goes ahead it is an excellent opportunity to undertake comprehensive improvements to the whole public transport and rights of way network in this area. This would include reconfiguring bus services, walking routes, cycling and horse riding routes, to boost sustainable modes of movement and improve access to the countryside. We have already highlighted the general need for convenient and high quality pedestrian/cycle access to the Parkway station area. This is also one of the County Council’s key transport objectives. Local parishes and amenity groups are, we understand, making detailed representations and this has our support.

7.6 Restoration of land - CPRE would emphasise that much of the area affected by the route is Green Belt and green field land, or close to local communities. We would argue it is doubly important that, in sensitive environments such as these, all works of restoration are carried out to the highest standards.

8 Potential conditions/restrictions for the Water Eaton site if the Chiltern scheme proceeds

8.1 The TWA Order will set down many important principles for this development, even if more detailed matters are “reserved”. In the above sections we have already touched upon a number of issues which relate to the future control or management of Chiltern’s proposals for Water Eaton. Our key aim is to minimise the potential impacts on the Oxford Green Belt - especially the relatively narrow gap of Green Belt between the built up areas of Kidlington and Oxford known as the “Kidlington Gap”.

8.2 The creation and protection of the Oxford Green Belt as the unique setting of the historic city of Oxford has been one of the key achievements of CPRE Oxfordshire. And with constant threats to the integrity of the Green Belt, we will continue to argue for the highest levels of protection.

8.3 If the Water Eaton scheme is to be allowed to proceed, the particular issues where potential conditions/restrictions would in our view be required under the TWA Order can be summarised as follows:

- a) the mix and scale of the proposed land uses must be clearly justified and defined.
- b) the scale of the Parkway station car parking must be fully justified and measures taken to minimize the extent and impact of the relocated aggregates depot site on the Green Belt, including the proposed perimeter access road. The new depot should not be permitted to extend further into the Green Belt than absolutely necessary.
- c) if the new aggregates depot use ceased at some point in the future, the land in question should be returned to a use compatible with the Green Belt – in line with the legal undertaking on the existing Park and Ride site.
- d) the scale of the parkway station and associated parking must have defined limits. Parking should have a maximum capacity set down.
- e) the proposed decking of the car park to increase the parking capacity should have a clearly defined trigger point, and should not proceed if it is not fully justified.
- f) the existing Park and Ride bus facility and the new Parkway rail station/ interchange must be managed in a coordinated and integrated fashion.
- g) long distance buses should not be permitted to operate from the Parkway interchange without further consents.
- h) capacity issues arising from the East –West Rail scheme should be explicitly excluded at this stage and there should be no automatic assumption that Water Eaton Parkway can or should expand its capacity.
- i) the scheme must be designed and managed to create wherever possible comprehensive improvements to the public transport and rights of way network in this area, and in particular convenient and high quality pedestrian/cycle access to the Parkway station area.

j) the Water Eaton Parkway station/interchange should not be viewed as any form of future commercial employment hub and no other employment uses should be permitted.

k) all “alien” features and structures should be minimised to protect the openness, integrity and visual appearance of the Green Belt.

l) all works of restoration must be carried out to the highest standards.

8.4 Failing that, we would contend that in this Green Belt location the scheme could not be made acceptable and we would ask the inquiry to conclude that the Parkway station should not be allowed.

9. Conclusions and summary

9.1 Whilst CPRE Oxfordshire is supportive of measures to promote more sustainable travel and sustainable development, our countryside is a precious and finite resource and the openness of the Oxford Green Belt requires constant protection from creeping urbanisation. Our aim is to minimise the potential impact on the Oxford Green Belt - especially the relatively narrow gap of Green Belt between the built up areas of Kidlington and Oxford known as the “Kidlington Gap”.

9.2 There are many elements of the proposed transport improvements we would support, but we have highlighted concerns about potential impacts of the Water Eaton proposals which remain unresolved, or not adequately resolved, at the time of writing.

9.3 One of the fundamental questions to be answered is why the new Parkway station has to be located in the Green Belt, whether the Water Eaton site is strategically the optimum site or most “sustainable” site for a major Parkway station/ transport interchange to serve the Oxford area, and whether the Water Eaton scheme has to be of this scale and land-take.

9.4 The Chiltern Planning Statement accepts it is a substantial “inappropriate development” within the Green Belt, but is relying on the “very special circumstances” ie the benefits in delivering sustainable transport objectives. As outlined, we still have significant concerns about the impact of the proposals on the openness and integrity of the Green Belt. We are also not convinced that the longer term and wider transport issues created by this major new transport hub have been fully addressed, in particular whether sufficient consideration is being given to pressures to expand the Water Eaton site in the not-so-distant future. If the “very special circumstances” cannot be justified, the scheme should not be accepted.

9.5 The TWA Order will set down many important principles for this development. even if more detailed matters are “reserved”. Should this scheme be allowed to proceed, we have identified a number of key issues relating to the future control or management of Chiltern’s proposals for Water Eaton which we would ask the inquiry to consider.

CPRE Oxfordshire - Sept 2010

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