

OBJ/53

DUNDAS & WILSON

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

**TRANSPORT AND WORKS ACT 1992
THE TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004**

**STATEMENT OF CASE
On behalf of:**

BIRCH SITES LIMITED

relating to Launton Road, Bicester

**Chiltern Railways (c/o Eversheds LLP) ref: PETOM/119788-010009)
TWA Orders Unit ref: TWA/10/APP/02/OBJ/53
Our ref: SJM/CJT/BGP002.1473**

Dated: 6 August 2010

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STATEMENT OF CASE

1. This Statement of Case is submitted on behalf of Birch Sites Limited ("BSL") pursuant to Rule 7(3) of the Transport and Works (Inquiries Procedure) Rules 2004.
2. BSL is the registered proprietor at HM Land Registry under title number ON224534 in respect of the freehold plot ("the BSL Land") over which temporary rights are being sought by virtue of the proposed Chiltern Railways (Bicester to Oxford Improvements) Order ("the Order").
3. BSL maintains its objection to the Order in the manner set out in this Statement of Case.
4. Evidence will be presented to demonstrate the following:
 - confirmation of the Order will lead to interference with the only vehicular access to the BSL land and the proposed location of the temporary rights should be reconsidered
 - confirmation of the Order will lead to access being provided to the general public over the BSL land without restriction presenting an unacceptable risk to BSL
 - confirmation of the Order will lead to delay bringing forward development and/or attracting tenants to occupy the BSL Land
 - confirmation of the Order will lead to a temporary sterilization of the use of the land over which the rights are required and land and buildings either side
 - BSL is of the view that there is an alternative access over the BSL Land which would have substantially less impact on the use of the BSL Land.
5. BSL is of the view that the most suitable route for an alternative temporary access is shown shaded yellow on the drawing attached at Appendix 1.
6. BSL reserves the right to refer to any policies and documents Chiltern Railways refer to as appropriate

Dundas & Wilson LLP

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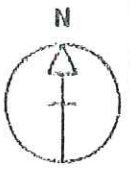
Date: 6 August 2010

Appendix 1



TITLE NUMBER
ON224534

Drawing 1



OXFORDSHIRE : CHERWELL

ORDNANCE SURVEY MAP REFERENCE:

SP98221W

SCALE 1:1250

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