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CHILTERN RAILWAYS (BICESTER TO OXFORD IMPROVEMENTS) ORDER

Planning Statement



PROJECT
EVERGREEN 3



Chiltern Railways

Planning Statement

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1 INTRODUCTION

1.1 PURPOSE AND SCOPE OF THE PLANNING STATEMENT

1.1.1 The purpose of the Planning Statement is to clearly set out the planning policy context and the overall case for the Chiltern Railways (Bicester to Oxford Improvements) Order, hereafter referred to as the Scheme.

1.1.2 The Planning Statement is one of a suite of supporting documents for the Chiltern Railways (Bicester to Oxford Improvements) Order application and should be read in conjunction with these, in particular the Environmental Statement, Design and Access Statement, Public Rights of Way Report and the Statement of Consultation.

1.2 STRUCTURE OF THE PLANNING STATEMENT

1.2.1 The Planning Statement is structured as follows:

- **Section 2** describes the Scheme, setting out the Scheme objectives, the need for the Scheme and the benefits that it delivers. It outlines the consultation process that has been undertaken and statements of support received from the local planning authorities;
- **Section 3** outlines the how the Scheme helps to deliver strategic sustainable transport objectives;
- **Section 4** outlines the extent to which the Scheme complies with national, regional and local planning objectives in relation to the Green Belt;
- **Section 5** examines whether the Scheme impacts on the ability of Oxfordshire County Council to deliver its minerals and waste policy;
- **Section 6** considers the interface of the Scheme with major development proposals, including the North West Bicester Eco-town proposal and the Northern Quarter and live planning permissions and applications;
- **Section 7** brings together a summary of the planning and environmental impacts of the Scheme as set out in detail in the Environmental Statement; and
- **Section 8** provides a summary of the planning considerations associated with the Scheme.

2 DESCRIPTION OF THE SCHEME AND THE NEED FOR ITS DEVELOPMENT

2.1 DESCRIPTION OF THE CHILTERN RAILWAYS (BICESTER TO OXFORD IMPROVEMENTS) ORDER

2.1.1 The Scheme proposes a connection between the existing Bletchley to Oxford line and the main line from London Marylebone to Birmingham Moor Street and upgrading of the line through Bicester Town to Oxford. This will enable operation of direct train services between London Marylebone and Oxford via High Wycombe.

2.1.2 Chiltern Railways is proposing to provide passenger rail services from London (Marylebone) to Oxford. This will be achieved by a constructing a short connecting line just south of Bicester, where Chiltern Railways' London to Birmingham Moor Street line crosses over the Bicester to Oxford line. The latter will be upgraded from just east of Bicester Town station to Oxford, including restoring the double track that was removed in the 1970s and installing new signalling and safety systems. Bicester Town and Islip stations will be rebuilt and additional platforms provided at Oxford, while a new station will be constructed near Water Eaton, called Water Eaton Parkway, to serve Kidlington and North Oxford. The overall Chiltern Railways project is called Evergreen 3. This includes the Bicester to Oxford works but also other capacity improvements between London Marylebone and Bicester, which are not part of the Transport and Works Act Order Application.

2.1.3 The Scheme will also provide the main physical improvements needed between Bicester and Oxford, to facilitate the western section of the East West Rail Link. This is being promoted by the East West Rail consortium of local authorities, including Oxfordshire County Council. It will reinstate passenger services from Oxford via Bicester Town to Bletchley and Milton Keynes. The Scheme also includes the necessary works to enable the railway to be used by inter-regional freight trains if the East West Rail project goes ahead.

2.1.4 The main components of the Scheme are:

- A new connecting twin track railway line, from a point on the London to Birmingham line just north of the bridge which runs over the Bicester ring road, to a point on the Oxford to Bicester to Bletchley railway just east of Tubbs Lane crossing.
- Bicester Town station will be rebuilt with two platforms, to allow reinstatement of double track. The platforms will be extended for 8 car trains and new station buildings constructed. Step free access will be provided throughout, together with improved links to both the town centre and the Bicester Village Outlet Centre.

- Upgrading the railway, from the junction with the connecting line through Bicester Town and Islip to Oxford North Junction (near Wolvercote). The upgraded route will be double track, reinstating the facility removed by British Rail in 1973. New signalling and safety systems will be provided to equip the line for up to 100 mph operation and most level crossings replaced by bridges or alternative routes. The superstructure of the Mill Stream and River Cherwell viaducts (near Islip) will be rebuilt.
- Islip station will also be rebuilt with two eight car platforms, with step free access throughout.
- A new station will be built at the Water Eaton park and ride site, with direct bus links to Kidlington, north Oxford, the hospital and the city centre. The station will have two eight car platforms, with step free access throughout, and passenger facilities including a ticket hall and coffee shop.
- The rail aggregates depot at Water Eaton sidings will be relocated and connections to the Ministry of Defence depot at Bicester will be reconfigured to permit the reinstatement of twin track.
- A new independent single track line will be built between Oxford North Junction and Oxford station. This will use the disused trackbed of the line that runs parallel to the existing main line, and is all within the existing railway boundary. At Oxford station the bridge over the Sheepwash Channel ⁽¹⁾ will be widened, and the former parcels depot replaced to create two additional platforms for passenger trains.

2.2 THE OBJECTIVES OF THE SCHEME

2.2.1 Chiltern Railways has a 20 years franchise from the Department for Transport (DfT) to operate trains on the London Marylebone to Birmingham Moor Street route until 2021. One of the obligations under this agreement is to promote and deliver enhancements to the existing rail infrastructure, including aspirations for a link to Oxford. The Scheme is consistent with this aspiration.

2.2.2 The main aims of the Scheme are to:

- **Increase rail capacity on the Oxford-Reading-London corridor.** Rail traffic in Great Britain has grown strongly over the past decade and growth is forecast to continue. Railway capacity on the Oxford-Reading-London corridor is now under considerable pressure and this will increase with planned economic growth and housing development in southern Oxfordshire and the Thames Valley. By providing an additional and alternative route to Oxford the Chiltern Railways proposals will add extra capacity in this corridor. This will benefit both passengers between

(1) Also known as the Rewley Abbey Stream

Oxford and London and the substantial freight business from the Midlands via Oxford to the Solent ports.

In addition, the Chiltern line will provide an alternative route during the major engineering works planned in the Thames Valley over the next decade, including the Reading remodelling, Crossrail construction, electrification and Oxford re-signalling.

- **Provide improved access to the rail network for Oxford and north Oxfordshire.** Oxford station is sited to the west of the city centre and is remote from many of the city's residential and business areas. It also suffers from congested local roads and a lack of car parking spaces. Chiltern Railways' proposed Water Eaton Parkway station will, in contrast, give easy access to the rail network from many parts of Oxford by bus, cycle or car. It will provide Kidlington with its long-desired railway station and act as a railhead for other parts of north Oxfordshire which do not enjoy a direct rail service. This will in turn relieve pressure on the existing car park at Oxford station and thus release capacity there for traffic growth from other areas.
- **Provide a sustainable alternative to the car, particularly for commuting journeys into Oxford.** In common with other successful cities, Oxford and surrounding areas suffer from severe traffic congestion, particularly at peak periods. Commuter journey times into Oxford amongst the longest in the country, whilst longer-distance journeys are affected by delays on the motorway and trunk road networks. However, rail's market share on the Oxford to London and Bicester to Oxford routes is low by comparison with similar corridors elsewhere, due to the inconvenient location of Oxford station and, in the case of the Bicester to Oxford line, the relatively slow and infrequent train services.

Chiltern Railways' proposals will deliver a major increase in train frequency, greatly reduce journey times between Bicester and Oxford and give a direct rail link between the sub-regional centres of Oxford and High Wycombe for the first time in over 40 years. In addition the interchange with express buses at Water Eaton Parkway will give direct access to major employers such as the John Radcliffe Hospital that are currently hard to reach by rail. The railway will thus become a realistic alternative to the private car and help relieve congestion on the A34, M40 and connecting roads.

- **Help deliver public policies for economic and spatial development.** By improving access to Oxford for both long-distance and commuter journeys, the Chiltern Railway proposals will help reinforce the city's position as an economic and research hub, whilst minimising the environmental impacts of the transport system. This Chiltern Railways development is consistent with national, regional and local policies that address not only transport issues, but also wider issues including strategies for planning, environmental concerns and economic stimulus.

National policy, specifically PPS1 and PPG13, emphasise the need to combine spatial planning with an appreciation of transport networks to promote development around public transport routes, to provide an attractive and sustainable alternative to using a car.

At regional level, the Scheme will deliver strategic public transport links to support planned growth advocated through the South East Plan, and support the Plan's Central Oxfordshire sub-regional strategy. It has been endorsed by the South East Regional Transport Board. At a local level, the Scheme will support Oxford City and Cherwell District Councils' spatial plans to encourage alternatives to the car, support growth and protect the environment, and these authorities have endorsed the Scheme.

- **Facilitate the East West Rail Link.** Provision of a rail link between Oxford, Milton Keynes and East Anglia is widely regarded as key to both the future success of the Oxford-Cambridge 'Knowledge Arc', and to the growth of Milton Keynes. It is, therefore, identified as a regional investment priority by the South East Regional Transport Board, in support of the South East Plan and the Regional Economic Strategy. East West Rail would also give benefits to the wider railway network, which are recognised by the Network Rail and the Department for Transport.

The East West Rail consortium of local authorities has been actively developing plans to re-instate this route, with the Oxford/Aylesbury to Bletchley/Milton Keynes section the initial priority. The Chiltern Railways proposals to upgrade the Oxford to Bicester line will significantly reduce the amount of public funding needed to deliver East West Rail, and Chiltern Railways and the consortium have worked closely together to maximise the wider transport, environmental and economic benefits.

- **To extend the use of an environmentally friendly and safe form of transport.** Due to running on steel rails and carrying a large number of passengers per vehicle, trains are significantly more energy-efficient than road vehicles. In turn they produce far lower emissions. Studies show that the average CO₂ emission for Chiltern Railways train services is one third of the equivalent passenger journeys made by car.

Rail also has an excellent safety record, and by encouraging modal shift to train, the Chiltern Railways proposals will contribute to reducing road casualty levels. In order to improve reliability and reduce risks to road, footpath and bridleway users, it is proposed that all of the existing level crossings of the railway, except London Road, Bicester, will be closed and replaced by bridges or alternative routes.

- **Facilitate the Redevelopment of Oxford Station.** Oxford station has long been recognised as a poor gateway to the one of Britain’s finest cultural and academic centres, whilst having inadequate capacity to meet the future demands of a growing city. Network Rail and Oxfordshire County Council are, therefore, planning to remodel the station. The Chiltern Railways proposals are designed to complement these plans and to enable the future construction of a high quality station that is both welcoming for passengers and an asset for the City of Oxford.

2.3 THE DEVELOPMENT OF THE SCHEME

2.3.1 The Scheme is the latest in a series of service improvements which are being implemented as part of Chiltern Railways 20 year franchise. It is preceded by Project ‘Evergreen 1’ which comprised nine miles of track doubling between Bicester and Aynho, near Banbury and ‘Evergreen 2’ which included various measures to improve line speed, extra signalling between London and Bicester and two extra platforms at London Marylebone which were completed in 2006.

2.3.2 The extension of the Chiltern Railways network to Oxford is a key element of Chiltern Railways’ ‘Evergreen 3’ project for improving rail transport in the London-Oxfordshire-West Midlands corridor. It follows the previous ‘Evergreen 1’ and ‘Evergreen 2’ projects. These have demonstrated Chiltern Railways’ ability to deliver large-scale infrastructure projects and transformed the Chiltern route from a moribund secondary line into a busy intercity artery.

2.3.3 The idea of building a new, fast service between London and Oxford has been in development for a number of years. It was first considered when Chiltern Railways took over the franchise in 1996, with the aim of reducing traffic on the already congested M40. It became a formal aspiration as part of Chiltern Railways second franchise agreement in 2002 and in 2003 a number of options for the Scheme were examined in a report by Chiltern Railways to the Strategic Rail Authority ‘A New Route to Oxford’ [2003]. These are described in detail in Annex C of the Environmental Statement. The options considered included:

- strategic decisions regarding the choice of the rail corridor and general form of the scheme;
- options for station location and features; and
- options for structures/crossings.

2.3.4 The conclusion of a series of a number of strategic studies between 1998 and 2003 was that the Bicester to Oxford route had the following benefits over the other options:

- the amount of new construction would be significantly less;
- the proposed Water Eaton Parkway station would form a railhead for car users from north/east Oxford and north/ west Oxfordshire, and has excellent bus links to the city centre and hospitals. It is also close to Kidlington, which would provide significant rail traffic;
- significant extra revenue would result from improving the Bicester Town to Oxford commuter service; and
- upgrading the line between Bicester and Oxford would facilitate reinstatement of the East West Rail route, which has been a key public transport objective for the relevant local authorities since the 1970s.
- The disused trackbed of the alternative route via Thame had been built over at a number of key locations. In addition, this route would approach Oxford from the south over the existing line from Kennington Junction into Oxford, which is part of the heavily-congested Oxford to Didcot line and where environmental constraints would preclude laying extra track.

2.3.5 Following on from the conclusions of the 2003 Report, subsequent work has concentrated on the Bicester to Oxford corridor.

2.4 THE ROLE OF CONSULTATION IN DEVELOPING THE SCHEME

2.4.1 Chiltern Railways' approach to consultation and details of the process undertaken is set out in a separate Statement of Consultation. Chiltern Railways has engaged in extensive stakeholder engagement throughout the process of considering alternatives and design of the preferred option. These have included rail users and passenger groups, Government departments and agencies, development agencies, local MPs, the local planning authorities, parish and towns councils.

2.4.2 The consultation process revealed overall positive support for the Scheme in principle. Support for the Scheme revolved around:

- improved line speeds, faster and more reliable services;
- upgrading of the stations, including enhanced accessibility;
- relief of traffic congestion in North Oxford;
- relief of congestion on the Oxford to Paddington line;
- reducing the carbon footprint and environmental improvements;
- providing a more convenient service; and
- benefits to the local economy though increased commuting.

2.4.3 Concerns were also expressed at a number of locations, primarily relating to noise, vibration, and the proposals to close certain level crossings.

2.5 THE NEED FOR THE SCHEME

2.5.1 The need for the Scheme comes from both the need to tackle congestion and address under capacity in the rail network, together with accommodating the needs of future development.

Tackling Congestion and Rail Under Capacity

2.5.2 There has been significant growth in rail passenger numbers since privatisation, with a recorded 41% growth over the decade 1997 to 2007 ⁽¹⁾ and a forecast 30% growth over the ensuing decade 2006 to 2016) ⁽²⁾. In addition, there has been significant growth in the number of trains operated, which is putting substantial pressure on line capacity, which is not keeping pace with the growth of passenger traffic. The national rail network has seen only marginal growth of 0.10% in capacity ⁽³⁾ which falls short of meeting the needs of the growth in demand. In conjunction with this, Chiltern Railways has a history of growing their rail business at a much faster rate than the national average.

2.5.3 Railway capacity on the Oxford-Reading-London corridor is now under considerable pressure, and this will increase with planned economic growth and housing development in Southern Oxfordshire and the Thames Valley.

2.5.4 Alongside the need to address under capacity in the rail network, the Scheme is needed to combat problems of road traffic growth and congestion in the local area. Locally, Oxfordshire road traffic is growing at a faster rate than in the rest of the South East, and is the fifth highest of any County or Unitary Authority. Oxford and surrounding areas suffer from severe traffic congestion, particularly at peak periods. There is congestion on a daily basis in particular on the approaches to Junction 9 of the M40 and the A34. Commuter journey times into Oxford amongst the longest in the country, whilst longer-distance journeys are affected by delays on the motorway and trunk road networks.

2.5.5 All this evidence supports the case for improvements to rail infrastructure in the area to relieve the pressure on road and rail networks. It is, therefore, not surprising that the need for the Scheme is identified in a number of key transport strategies and investment programmes. These are set out in **Section 3** of the Planning Statement.

(1) Department for Transport, Statistics, Great Britain, 2008.

(2) Department for Transport, Towards a Sustainable Railway, 2007.

(3) Department for Transport, Statistics, Great Britain, 2008.

Accommodating the Needs of Future Development

2.5.6 Additional rail capacity is needed to support the level of planned housing and employment growth envisaged in the South East Plan and to support the delivery of the Central Oxfordshire sub-regional housing targets of 55,200 dwellings to be built in the County between 2006 and 2026. Of these 8,000 are planned for Oxford and 6,400 in Bicester. New homes to be built as part of the North West Bicester Eco-town will count towards this target. Around 3,000 of the 5,000 planned new homes in the Eco-town are expected to be built by 2026. This planned level of growth will put additional pressure on already congested transport infrastructure if it is not matched by investment in improving capacity in the rail network.

2.6 THE BENEFITS OF THE SCHEME

2.6.1 The Scheme promotes sustainable travel through improvements to rail passenger services on key routes alongside the maintenance of freight capacity. It will promote modal shift to public transport as a direct result of increased capacity, faster and more frequent services, new rail journey opportunities and through improved integration with other elements of the public transport network, allowing new journeys to be made. The Scheme will provide additional rail capacity both to accommodate 'natural' growth in rail patronage and in order to meet future development generated need in the rail corridor.

2.6.2 The Scheme will help to integrate regional and local rail services and support the implementation of wider improvements in rail infrastructure. Specifically it will materially assist in the delivery of the East West Rail project and the powers sought by the Chiltern Railways (Bicester to Oxford Improvements) Order takes into account the requirements of the East West Rail Consortium as far as is practicable and also the Department for Transport's strategic aspirations. The reinstatement of the East West Rail Link has been a key public transport objective of the local authorities since the 1970s.

2.6.3 In addition to the high level benefits of the Scheme, it will deliver a number of specific benefits for local people. The traffic and transport benefits of the Scheme are outlined in full in Chapter 11 Traffic and Transport of the Environmental Statement. It will provide:

- a viable alternative to the use of the car. The Scheme will result in a reduction of distance travelled by car. There is a corresponding increase in public transport trips, number of passengers and total distances travelled by public transport. This indicates a transfer from road based travel to rail, in particular for longer distances.

- a more frequent service to and from Oxford. The Scheme will increase the frequency of service on the Bicester to Oxford line to two trains per hour in each direction. The Chiltern Railways service will complement the Great Western line between London Paddington, not replace it.
- a fast and frequent commuter rail service between Bicester and Oxford providing an attractive alternative to the congested A34. The Scheme will result in a significant greater number of rail passengers using the Bicester to Oxford line. There will be an increased use of the Bicester to Oxford line and a resultant reduction of traffic flows on the A34.
- an alternative to the existing route between London Paddington and Oxford during the period of disruption expected whilst Reading station is remodelled, the Crossrail project is being built and the Great Western line electrified.
- additional station and railway car parking capacity in Bicester, helping to meet the town's anticipated population growth.
- direct rail services between Oxford and High Wycombe, for the first time in over 40 years, and connections to Wembley Stadium.
- direct rail services between London and the Bicester Village Outlet Centre, thus helping to take traffic off the M40.
- easy access to rail services for residents from north and east Oxford, Kidlington and Yarnton, without having to travel into the centre of Oxford. Direct bus links from Water Eaton will make travel to and from the city centre and the Radcliffe hospital easier.

2.7 STATEMENTS OF SUPPORT FOR THE SCHEME

2.7.1 Chiltern Railways has received statements of support from all three local planning authorities (Oxfordshire County Council, Oxford City Council and Cherwell District Council) and the Regional Planning Body for South East England. All recognise the importance of the Scheme in terms of its contribution to improvements in the public transport network.

2.7.2 The Regional Transport Board, on behalf of the South East England Partnership Board (the statutory Regional Planning Body for South East England) set out its support for the Scheme in a letter to Chiltern Railways dated 14 September 2009. It acknowledges the contribution the Scheme will make "to delivering the statutory planning framework in two ways:

- *as an improvement to the region's public transport network in its own right;*
- *as an important precursor to the delivery of East West Rail (Western Section) project, a regional priority for investment".*

- 2.7.3 On that basis, subject to satisfactory provision of appropriate mitigation for any negative impacts arising from the Scheme, the Regional Transport Board *“supports the application for a Transport & Works Act Order”*.
- 2.7.4 Oxfordshire County Council’s Cabinet on 15 September 2009 resolved to give in principle support for the Scheme subject to a number of policy and technical concerns being addressed in relation to Green Belt, the operation of the park and ride site and impacts on minerals and waste. *“If they [Chiltern Railways] can do so satisfactorily, the benefits appear great enough to justify support for their overall proposal”*. The Planning Statement responds to their concerns relating to Green Belt in **Section 4** and waste and minerals in **Section 5**. The Cabinet report states that the Scheme *“offers substantial benefits in its own right, especially in greatly improving the train service between Bicester and Oxford”*.
- 2.7.5 Cherwell District Council’s Executive on 15 June 2009 resolved to support the Scheme. In paragraph 1.17 of the report to the Executive it recommends that *“the Council supports the proposals provided Chiltern Railways can satisfy the criteria in PPG2 and PPG13”*. The extent to which these criteria have been met are discussed in **Section 4** of the Planning Statement. Specific support is given to the proposed improvements to station facilities and rail services at Bicester Town, Islip and development of the connecting rail line.
- 2.7.6 Oxford City Council has set out its support in principle for the Scheme in a letter from the City Development department to Chiltern Railways dated 16 September 2009. *“This is in recognition of the fact that the scheme will provide an alternative fast link between London and Oxford, and also will for the first time in decades provide viable rail travel from Oxford to High Wycombe, Aylesbury and stations on the London Marylebone line. It will also greatly improve access to Oxford for residents of Bicester who work in Oxford, as a good alternative to the A34”*.

- 3.1.1 Railways are a vital part of the UK's transport infrastructure. The European Commission and UK Government have released a number of White Papers, strategic policies and recommendations that support growth in the rail sector and promote the development of sustainable transport. Investment in rail infrastructure is the underlying catalyst that will deliver sustainable transport. This is based on the supposition that a comprehensive sustainable and high-performing transport system is an important enabler of sustained economic prosperity and forms an important role in the economic response to accommodating development.
- 3.1.2 The vision of the European Transport Policy for 2010 [2001] was to develop a transport system capable of shifting the balance between modes of transport and revitalising the railways. Rail and other environmentally friendly modes of transport should be given the means to become competitive alternatives.
- 3.1.3 The Future of Transport [2004], which is a response to the European Transport Policy, builds a strategy based around three central themes, sustained investment, improvements in transport management and planning ahead. The Government's investment strategy has been increasingly focused on providing extra rail capacity reflecting the substantial increase in rail traffic over the past decade. The Government's priority for rail is to increase capacity. This carries on from the investment strategy set out in the Transport 2010: the 10 Year Plan [2000] which sought to deliver modern high quality rail schemes, park and ride to relieve congestion in town centres and a modern train fleet.
- 3.1.4 The Eddington Transport Study [2006] recommended that investment should focus on enhancing capacity and reliability of the network where overcrowding or congestion problems indicate that the transport system is coming under strain. Delivering a Sustainable Railway [2007] took the recommendation further and provides a strategic basis for prioritising increased capacity in response to record passenger numbers, overcrowding problems, and to create 'headroom' for rail to grow further.
- 3.1.5 Evidence cited in Low Carbon Transport: A Greener Future [2009] further supports the view that improving rail encourages travellers to switch from other modes. The prime objectives of PPG13 Transport [2001] are to promote better integration between different transport modes, more sustainable transport choices and to reduce the need to travel by car. It seeks to maximise the potential usage of public transport by establishing a high quality safe, secure and reliable public transport network with good interchanges which match the pattern of travel demand. Quick and easy interchange is seen to be essential to ensure integration between different nodes of transport.

- 3.1.6 In Delivering a Sustainable Railway [2007] it is recognised that rail can contribute to low-carbon economic growth but it needs to move towards the service quality that more exacting consumers are increasingly demanding. Rail is an excellent low-carbon option for an increasing number of travellers, and can provide further opportunities to reduce emissions from journeys between cities. The Planning and Climate Change Supplement to PPS1 [2007] recognises that in order to move towards low carbon emissions the fullest possible use should be made of sustainable transport.
- 3.1.7 The Scheme is referred to in a number of transport strategies and investment programmes. The Great Western Route Utilisation Strategy [2009] includes the Scheme as a means of increasing capacity in the Oxford to London corridor. Both the South East Regional Transport Plan and the South East Economic Plan acknowledge the need to relieve congestion on the M40/A34 and to improve links to Oxford and High Wycombe. The South East Plan [2009] recognises that strengthening public transport and promoting alternatives to the car in order to tackle congestion is a particular challenge faced by Central Oxfordshire. The vision of the Regional Transport Strategy is for a *“high quality transport system to act as a catalyst for continued economic growth and provide for an improved quality of life”*. Policy CO5 priorities access to Oxford from major towns in the sub-region. The re-opening of the East West rail line, as facilitated by the Scheme, is seen as a key regional priority in promoting existing and potential new rail routes and multi-modal interchanges.
- 3.1.8 In addition to the high level policy support for the Scheme there are a number of local level transport objectives that the Scheme can help to deliver.
- 3.1.9 The adopted Oxfordshire Local Transport Plan [LTP2] 2006-2011 sets out Oxfordshire’s priority for improving the rail network to promote increased use of the existing railway and to seek appropriate train services, particularly to major centres where housing growth is proposed. The implementation of East West Rail is a specific objective of the Local Transport Plan. Another aim of LTP2 is to improve bus-rail links and interchange in partnership with the rail industry.
- 3.1.10 The LTP recognises that Bicester and Oxford are connected by a low standard line and that enhancement of the Bicester Town to Oxford line is a proposed solution to overcome severe traffic congestion on the M40 and A34. The proposed park and ride at Water Eaton Parkway station is an integral part of the Scheme and a ‘solution’ to traffic congestion in the area.
- 3.1.11 Both the adopted Cherwell Local Plan and the Non-Statutory Cherwell Local Plan (which has been adopted as interim policy for development control purposes) seek to provide for, and enhance rail infrastructure through policies TR4 and TR10 respectively. The adopted Cherwell Local Plan recognises that the existing Oxford to Bicester railway service is likely to become more popular in the future. There is particular emphasis in Policy TR10 on the provision of new services and stations that assist in reducing the reliance on

the private car for inter-urban travel.

- 3.1.12 Support in the Non-statutory Cherwell Local Plan for improved rail services includes improvements to passenger facilities, rail and bus interchange and a new station at Kidlington. Policy TR29 specifically reserves land for a connecting railway and rail based public transport interchange at Gavray Drive, Bicester. This is seen to offer the potential for services between London Marylebone and Oxford.
- 3.1.13 The Non-statutory Cherwell Local Plan continues support for consideration of a new rail station for Bicester where there is an increase in frequency and quality of service. The Bicester Town station forms part of a wider allocation for employment and retail uses in the area under Policy S17 of the Non-Statutory Cherwell Local Plan which makes provisions for *“railway related uses associated with the operation of the existing station”*.
- 3.1.14 The Scheme proposes to redevelop part of Oxford station. The adopted local plan states that *“Oxford Station is located within the City Centre and is currently operating at full capacity”* (section 3.8.14). The Scheme includes improvements to the Oxford station to increase capacity and provide facilities for passengers. Policy TR10 of the adopted plan, *Oxford Station Improvements*, supports, in principle, increases in capacity for stopping train services in Oxford, improved access arrangements into the station, and for improved passenger-waiting and cycle-parking facilities.
- 3.1.15 The Scheme also accords with Oxford’s emerging Core Strategy’s overarching aim for sustainable development recognising that *“Oxford is a regional hub, with an important role in regional transport networks”*. It states that *“the transport network is highly constrained, with very limited potential to increase space on roads in particular”*. The limited platform and line capacity of Oxford station is acknowledged to cause a significant bottleneck on the rail network (page 74).
- 3.1.16 Chapter 3 of the emerging Oxford City Core Strategy identifies good accessibility as an important element in providing sustainable communities, and that transport improvements are required in the City Centre, including increased capacity at the railway stations. It is stated that *“Oxford City Council will support the delivery of transport schemes that aim to reduce the need to travel by private car and improve accessibility within and to Oxford by non-car modes”*. Specific mention is made of the Bicester to Oxford improvements and East West Rail. Chiltern Railways is *“progressing the ‘Evergreen 3’ project which will provide a fast, direct rail line from Oxford to London Marylebone via Bicester and High Wycombe”*.

3.2 CONCLUSION

3.2.1 National transport policy focuses on improving rail infrastructure and increasing capacity on the network. Rail can play a large part in contributing to low-carbon economic growth by providing a high quality service demanded by customers as an alternative to the car. Rail is a significant low-carbon option for an increasing number of travellers, and can provide further opportunities to reduce emissions from journeys between cities.

3.2.2 The Scheme supports planned housing and economic growth and meets strategic needs for improvements to public transport, in order to encourage modal shift in an area which is acknowledged as being particularly challenging. A priority of the South East Plan is to improve access to Oxford in order to relieve congestion. The Oxfordshire Local Transport Plan proposes the enhancement of the Oxford to Bicester rail service as a solution to this along side improvements to Oxford and local stations. There are a number of specific local plan allocations that support the delivery of the Scheme.

4 THE IMPACT OF THE SCHEME ON THE GREEN BELT

4.1 INTRODUCTION

4.1.1 A number of elements of the Scheme will take place within the Green Belt, namely the dualling of the track within the existing railway corridor, a number of road and footpath and bridleway bridges, Islip station, Water Eaton Parkway station plus its associated park and ride facility and the relocated rail aggregates depot.

4.1.2 In the case of Water Eaton Parkway, in order to consider the overall impact on the Green Belt the assessment includes the new station together with park and ride facilities and the rail aggregates depot. The park and ride elements are subject to specific additional tests in paragraph 3.17 of PPG2 which are addressed in **Section 4.5**.

4.2 GREEN BELT POLICY TESTS

4.2.1 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 [1995] is to prevent urban sprawl by keeping land permanently open. The most important attribute of Green Belts is their openness. The purpose of including land in Green Belts, as set out in paragraph 1.5 of PPG2 is:

- *“to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns from merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”.*

4.2.2 The most important aspect of development control applicable to the Green Belt is a general presumption against inappropriate development. Inappropriate development is considered by definition to be harmful to the Green Belt. Such development should not be approved, except where ‘very special circumstances’ have been demonstrated whereby any harm is clearly outweighed by other considerations.

- 4.2.3 Development of rail infrastructure, such as the upgrade of the railway track has been as accepted as appropriate development in the Green Belt in that it preserves the openness of the Green Belt and does not conflict with the purposes of including the land within the Green Belt. Road and rail infrastructure development should, so far as possible, contribute to the achievement of the objectives for the use of land in the Green Belt, irrespective of whether they are appropriate development or inappropriate development which is justified by very special circumstances.
- 4.2.4 The definition of infrastructure, in paragraph 3.13 of PPG2, as interpreted in other planning cases, can be taken to be the improvements of railway itself and any other ancillary infrastructure whose location is fixed. Related facilities, including stations must be considered in terms of whether they can be considered appropriate in terms of their impact on the Green Belt. The station and park and ride facility at Water Eaton are an integral part of the Scheme and are required for the development of the Scheme.
- 4.2.5 PPG2 recognises that in many instances the preferred location for park and ride scheme may be within the Green Belt. It states in paragraph 3.17 that park and ride is not considered inappropriate development provided it meets a series of specific tests as *“there may be cases where a Green Belt location is the most sustainable of the available options”*.
- 4.2.6 The station and rail aggregates depot do not cause harm to the Green Belt either through harm to the openness of the Green Belt or the purposes of including that land within the Green Belt and, in any event, they are both justified by ‘very special circumstances’.
- 4.2.7 Where the PPG2 tests are considered to be met, they are also consistent with PPG2 based policy in the South East Plan (CO4) and in both the adopted and non-statutory Cherwell local plans (GB1).

4.3 IMPACT ON THE OPENNESS OF THE GREEN BELT

- 4.3.1 Openness is the most important attribute of Green Belts. In considering the extent to which the openness of the Green Belt is materially affected by the Scheme, openness has been defined as the absence of development or built form. The assessment of potential harm to the openness of the Green Belt covers changes in the height, footprint, massing and dispersal of the development on the Scheme in the context of the relative openness of the site and the surrounding Green Belt. The impact on the visual amenity of the Green Belt is one part of the consideration of openness.

Impact of New Road, Footpath and Bridleway Bridges

4.3.2 There are a number of road and footbridges that are to be constructed, as part of the Scheme, within the Green Belt. Although alternatives have been considered for these crossings of the railway their location is necessarily tied to the track alignment and none could be moved to a location outside the Green Belt.

4.3.3 Although these are substantial structures in the countryside, each bridge has only got a small 'zone of visual influence' with only the upper portions of most of the bridges visible above the existing vegetation. The conclusion of the Landscape and Visual Impact assessment, in Chapter 7 of the Environmental Statement, is that the bridges will at worst only have a minor adverse impact on landscape character within the Green Belt. The bridges will only be visible at locations close to the Scheme.

4.3.4 The structures are visually separated and are sufficiently spaced along the alignment so as not to have any cumulative impact on the overall openness of the Green Belt.

Impact of Redevelopment of Islip Station

4.3.5 The conclusion of the Landscape and Visual Impact assessment is that the redevelopment of Islip station will not be significant in terms of changes in landscape character within the Green Belt. The small change in footprint, height and massing of the new structures at Islip station is not expected to have any impact on the openness of the Green Belt in this location. The proposed landscaping is expected to have a beneficial impact helping to mask close-up views.

Impact of Water Eaton Parkway Station and Rail Aggregates Depot

4.3.6 The most substantial development within the Green Belt will take place at Water Eaton. The area of the Scheme to be developed for the station and park and ride site at Water Eaton although within the Green Belt, is previously developed land and contains a number of buildings, including a large derelict grain silo on the site. Development of previously developed land within the Green Belt is preferable to greenfield development in the Green Belt.

4.3.7 The site of the Water Eaton station and park and ride site contains the existing stone sidings with ancillary buildings as well as the derelict grain silo building. The site is enclosed by the railway line, major roads and the existing bus based Water Eaton park and ride facility.

4.3.8 The existing grain silo building will be demolished to facilitate the proposals. This is a large structure which is visually prominent in the local landscape and can be seen from many locations to the north, south and east in particular. It is a tall building with a large footprint that impinges of the openness and visual amenity of the Green Belt in this location. The removal of the grain silo,

in particular, will have a positive impact on the character of the local landscape and the openness of the Green Belt in this location.

- 4.3.9 The new development coming forward on the site comprises the proposed station building and an extensive area of car parking including a decked structure. The decked car park will be the most visually prominent feature of the Scheme in this location, though not dominant in the landscape. It will form one element in the background, with the foreground comprising existing car parking.
- 4.3.10 The height, footprint and massing of the new development is considerably less than the existing form of development and will be located within an already developed and visually contained site between the existing park and ride and railway. Beneficial impacts on the character of the local landscape and its openness will be derived from some aspects of the Scheme, particularly the removal of the grain silo and other structures on the site and the introduction of new planting associated with the Scheme.
- 4.3.11 The conclusion from the Landscape and Visual Impact assessment in the Environmental Statement is that the changes to the character and openness of Green Belt associated with the Water Eaton station and park and ride will be beneficial.
- 4.3.12 There are few open views across the site. Views to the proposed development from the west are screened largely by planting along the existing A34 road and from the north by the railway. From the east, the existing Water Eaton car park and the bus station dominate the foreground and the proposed development would be seen as an element in the background. With the Scheme in place, the impact on views across the site from within the existing bus-based park and ride site and from the A4165 will be beneficial.
- 4.3.13 Any potential visual intrusion of the Scheme on the openness of the surrounding Green Belt will be mitigated through the structural boundary landscaping and planting within the development. This will soften and 'green' the development. The landscaping proposed includes planting along the northern boundary of the new car parking area to visually screen this from the adjacent farmland and integrate it into the landscape. Internal planting is to be implemented to visually soften the car parking. A boundary hedge is to be introduced to visually screen the proposed access road to the repositioned aggregates depot.
- 4.3.14 The relocation of the rail aggregates depot will result in the loss of undeveloped pasture land and some hedgerow vegetation along the length of the rail corridor boundary on the southern side. The rail aggregates depot will only have a minor impact on the open character of the landscape and overall the impacts on the local landscape within the Green Belt are not significant. The new aggregates depot will only be visible from the south east as it is largely screened from view on the western side of the rail line by the A34. A boundary hedge and tree planting are to be introduced to visually screen the

proposed aggregates depot from the south east.

4.3.15 The station and park and ride facility will need to be lit for operational and health and safety purposes. The level of illumination and light spillage will be similar to the levels experienced at the current bus based park and ride site.

4.3.16 Taking all the elements together, it is considered that overall there would no substantial harm to the Green Belt on account of the loss of openness at Water Eaton or on the openness of the Green Belt taken as a whole.

4.4 IMPACT ON THE PURPOSES OF THE GREEN BELT

4.4.1 The purposes of the Green Belt will not be materially harmed by the Scheme. The Scheme will have no measurable impact on the width of the Green Belt and its width will remain sufficient to maintain a clear physical and visual separation between Oxford and settlements within the Green Belt. The Scheme will not result in any significant encroachment into the countryside and will not compromise the purpose of preventing towns from merging or result in unrestricted sprawl of the built area. In addition, there is no impact on the setting or character of Oxford.

4.5 MEETING THE PARK AND RIDE 'TESTS'

4.5.1 PPG2 recognises '*that approval of park and ride development in a particular location does not create any presumption in favour of future expansion of that site. All proposals must be considered on their merits*'. Therefore, whilst there is already a park and ride site at Water Eaton Parkway, it must be demonstrated that the expansion will not cause significant harm to the 'openness' of the Green Belt, and meets the tests above or that very special circumstances exist that would override the impact on the Green Belt.

4.5.2 The park and ride element of the Scheme is subject to additional tests under paragraph 3.17 of PPG2. Provided that these tests are met park and ride development is not inappropriate in the Green Belt. Each of the five tests is addressed in turn.

A thorough and comprehensive assessment of potential sites has been carried out, including both non-Green Belt and, if appropriate, other Green Belt locations

4.5.3 Chapter 2 and Annex C of the Environmental Statement provide a detailed description of the consideration of alternatives. Key points from that Options Appraisal Report have been presented in the Planning Statement to demonstrate that a 'thorough' and 'comprehensive' assessment has been undertaken.

- 4.5.4 Alternative rail routes were considered and between 1998 and 2003, studies were undertaken for three alternative rail corridors, to give either a through rail link between Oxford and the Chiltern Line or access to Oxford via a Parkway railhead. The work included engineering assessments, demand and revenue forecasts, and consultation with relevant stakeholders. The three routes were considered for their business case, deliverability, non-user benefits and national and regional transport and spatial planning strategies.
- 4.5.5 The Bicester to Oxford corridor was found to be most beneficial in terms of construction impacts. It offers an opportunity for a new station serving north Oxford and would provide a local commuter service. A key factor in the decision was that the Scheme will facilitate the reinstatement of the East West Rail Link, which is a key public transport objective for the region.
- 4.5.6 Once the strategic decision had been taken to pursue improvements to the Bicester to Oxford rail corridor, a thorough assessment of alignment and station options was undertaken. Provision of a station to serve north Oxford is a key component of the Scheme. Linked to a rail based park and ride facility and adjacent bus terminus it provides an important multi-modal interchange. The location of the station is the key determinant of the rail park and ride location in north Oxford.
- 4.5.7 Alongside the Water Eaton site consideration was also given to the location of a station at Peartree park and ride interchange. Despite benefits related to the proximity to the trunk road network and potential to serve the prospective Northern Gateway development, the Peartree location had distinct disadvantages which ruled it out. There are significant engineering and environmental constraints on the Peartree site and it has poorer links to Kidlington and other parts of Oxford. The benefits of the Water Eaton site considerably outweigh those for Peartree.
- 4.5.8 The assessment which supports park and ride development at Water Eaton has been both 'thorough' and 'comprehensive' in considering alternative station locations within and outside of the Green Belt. The Water Eaton Parkway station has come forward as the preferred option on the basis of locational and operational advantages, the fact that it is previously developed land and the existence of land and environmental constraints on other sites.
- The assessment establishes that the proposed Green Belt site is the most sustainable option taking account of all relevant factors including travel impacts**
- 4.5.9 The Scheme is located adjacent to an already successful bus-based park and ride facility and will serve a greater population catchment than the alternatives such as at Peartree roundabout. The Scheme will provide the opportunity for additional modal interchange and the combination of train and bus will provide a realistic alternative for local people to car based trips. The Water Eaton Parkway station will also include substantial levels of parking for bicycles, recognising the importance of this mode of travel in

Oxford.

- 4.5.10 It is consistent with the advice in PPS1 and PPG13 which promote transport sustainability. Creating additional transport capacity by operating train services rather than increasing road space is much more CO₂ efficient since the average CO₂ emission for a passenger journey made on Chiltern Railways train services is about one third of the equivalent passenger journeys made by car.
- 4.5.11 Rail based park and ride and bus-rail interchange at Water Eaton Parkway will help to tackle congestion on what is widely recognised as a heavily congested corridor between Bicester and Oxford and would greatly increase public transport capacity for long distance commuters and for those people travelling into and out of Oxford to work.

The Scheme will not seriously compromise the purposes of including land in Green Belts

- 4.5.12 The main changes, comprising surface car and cycle parking and a station building are located in an already developed area between the existing park and ride and the existing rail line. Thus the proposals will not encroach or spread out onto undeveloped lands associated with the Green Belt. Some improvement in openness in the Green Belt will arise from the removal of a tall and dominant building in the landscape, which covers a large footprint. As already discussed in **Section 4.4**, the Scheme will not materially harm the purposes of including land within the Green Belt in this area.

The proposal is contained within the local transport plan and based on a thorough assessment of travel impacts

- 4.5.13 The adopted Oxfordshire Local Transport Plan [LTP2] 2006-2011 sets out Oxfordshire's priority for improving the rail network to promote increased use of the existing railway and to seek appropriate train services, particularly to major centres where housing growth is proposed. The implementation of East West Rail is a specific objective of the Local Transport Plan. Another aim of LTP2 is to improve bus-rail links and interchange in partnership with the rail industry.
- 4.5.14 The LTP recognises that Bicester and Oxford are connected by a low standard line and that enhancement of the Bicester Town to Oxford line is a proposed solution to overcome severe traffic congestion on the M40 and A34. The proposed park and ride at Water Eaton Parkway station is an integral part of the Scheme and a 'solution' to traffic congestion in the area.
- 4.5.15 The transport modelling work reported in Chapter 11, Traffic and Transport, in the Environmental Statement shows that the Scheme is a viable alternative to journeys by car. The Scheme will result in a reduction of distance travelled by car. There is a corresponding increase in public transport trips, number of passengers and total distances travelled by public transport. This indicates a

transfer from road based travel to rail, in particular for longer distances.

- 4.5.16 The Scheme will result a significant greater number of rail passengers between Bicester Town and Oxford stations. There will be a resulting reduction on traffic flows on the A34.

New or re-used buildings are included within the development proposal only for essential facilities associated with the operation of the park and ride scheme

- 4.5.17 No other separate buildings are to be provided as part of the car park and ride element of the Scheme. Lighting and other facilities that are provided are the minimum needed for its operation and interface with rail services.

- 4.5.18 The park and ride element of the Scheme meets all the tests set out in paragraph 3.17 of PPG2 and as such is considered appropriate development in Green Belt terms.

4.6 CONSIDERATION OF 'VERY SPECIAL CIRCUMSTANCES'

- 4.6.1 The track improvements, as essential infrastructure, and the park and ride elements, having met the tests in paragraph 3.17 are considered appropriate development. It is considered that the Scheme does meet the overarching Green Belt tests. In any event, there are compelling 'very special circumstances' to justify any harm to the Green Belt is clearly outweighed by other considerations. The very special circumstances relate to the individual merits of the Scheme.

- 4.6.2 The very special circumstances that can be relied upon are the benefits of the Scheme in terms of delivering the sustainable transport objectives as outlined in **Section 3** of the Planning Statement. The need for and benefits of the Scheme have been set out in **Section 2** of the Planning Statement and form part of any case that there are very special circumstances. These are summarised in the following sections.

Delivering Sustainable Transport Objectives

- 4.6.3 There is strategic support for growth in the rail sector in order to deliver sustained economic growth. This requires investment in enhancing capacity and reliability of the rail network.
- 4.6.4 Rail can play a large part in contributing to low-carbon economic growth by providing a high quality service demanded by customers as an alternative to the car. Rail is a significant low-carbon option for an increasing number of passengers. It provides future opportunities to reduce emissions from journeys between cities by providing more frequent and faster services.

4.6.5 The Scheme supports planned housing and economic growth and meets strategic needs for improvements to public transport, in order to encourage public transport use in the area. A regional priority is to improve access to Oxford in order to relieve congestion.

The Need for and Benefits of the Scheme

4.6.6 The Scheme is needed in order to tackle traffic congestion and address under capacity in the local rail network in order to accommodate the needs of future development. The Scheme will deliver a number of specific benefits including:

- helping to deliver and support policies for economic and spatial development;
- promoting modal shift to public transport through increased capacity on the rail network and through good integration with the rest of the public transport network;
- providing improved access to the rail network for Oxford and north Oxfordshire;
- enhancing the capacity and use of a low-carbon, sustainable and safe mode of travel as an alternative to travelling by car;
- providing a sustainable alternative to the car, particularly for commuting journeys into and out of Oxford;
- relieving congestion on key traffic corridors by providing a fast and frequent commuter service;
- facilitating the East West Rail Link, which is a key regional transport objective; and
- enabling the redevelopment of Oxford Station.

4.7 CONCLUSION

4.7.1 Transport infrastructure, such as the track upgrade, has been accepted as appropriate development within the Green Belt. The park and ride element of the Scheme can also be considered appropriate as it meets the rigorous tests set out in paragraph 3.17 of PPG2. The other elements of the Scheme are essential to its delivery, will not harm the Green Belt in terms of maintaining openness, visual amenity or materially harm the purposes of the Green Belt.

4.7.2 In any event, there are clear and convincing 'very special circumstances' in terms of the wider public interest to justify the development within the Green Belt.

5 IMPACTS ON THE ABILITY OF OXFORDSHIRE COUNTY COUNCIL TO DELIVER ITS MINERAL AND WASTE POLICY

5.1 INTRODUCTION

5.1.1 The development of the Scheme will impact on the existing safeguarded rail aggregate depot at Water Eaton and a nominated site in the emerging Mineral and Waste Development Framework for a strategic waste management facility.

5.2 MAINTAINING A RAIL AGGREGATES DEPOT AT WATER EATON

5.2.1 The site of the proposed Water Eaton Parkway station is identified under 'saved' policy SD7 and safeguarded under 'saved' policy SD9 of the Oxfordshire Minerals and Waste Local Plan [1996] as a rail head for the import of aggregates. Policy SD9 seeks to prevent development that would "*prejudice the establishment and full use of rail depots identified under Policy SD7*". The Scheme proposes the development of a new rail aggregates depot on an adjacent site that benefits from the same locational benefits as the safeguarded site and provides an improved junction with the public highway. In this respect the Scheme seeks to conform with the policy aspiration in SD7 and SD9 to retain a rail aggregates facility in the Kidlington area.

5.2.2 The proposed development of the Water Eaton Parkway station and park and ride facility is consistent with Policy SD9 in that it is not a use that would be "*sensitive to disturbance from activities at the rail depot*". Consideration of Green Belt policy implications related to the relocation of the rail aggregates depot has already been discussed in **Section 4** of the Planning Statement.

5.3 ABILITY TO DELIVER THE EMERGING OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT FRAMEWORK [MWDF]

5.3.1 The Oxfordshire MWDF is in the early stages of production. The Minerals and Waste Core Strategy Preferred Options Consultation Paper [2007] seeks to make appropriate provision for new waste management facilities, in particular for municipal waste. The Oxfordshire MWDF has yet to establish the requirements for waste management for different types of waste over the plan period.

5.3.2 Preliminary work supporting the emerging Oxfordshire MWDF has identified the Water Eaton grain silo site as one of a long list of over 200 sites which have potential for the development of a strategic waste facility. A brief site assessment is provided in the Oxfordshire MWDF Waste Site Proposals and Policies Document Issues and Options Consultation Report [2007]. Grundon has also nominated the site for potential inclusion in the MWDF for materials recycling. The site will need to be permanently acquired in order to deliver

the Scheme.

- 5.3.3 The MWDF is at an early stage of preparation and it is not certain that the Water Eaton site will be allocated as a strategic waste site in support of the MWDF. The MWDF has yet to establish the requirement for new facilities over the plan period. Despite a resolution to grant planning permission to Grundon [September 2008] for a Waste Reduction and Materials Recycling Facility, Oxfordshire County Council has expressed concerns ⁽¹⁾ about the commercial deliverability of the waste facility on the site and its acceptability for inclusion in the emerging MWDF. Details of the planning permission are provided in **Section 6**.
- 5.3.4 Since the resolution to grant planning permission for the Grundon proposals, Viridor has been awarded the Oxfordshire municipal waste contract and it is also the preferred bidder for a new energy-from-waste facility in Ardley, north Oxfordshire, which will have a capacity to process up to 300,000 tonnes of waste. It is not certain whether Grundon still considers there to be a commercial incentive to implement the permission, when granted.
- 5.3.5 The MWDF has yet to determine whether this site, if available, would be a suitable strategic waste site, although it is accepted that the presence of a planning permission for such a facility on this site would support such a case. The purpose of the MWDF will be to identify sufficient sites to meet future strategic waste needs. Very special circumstances were demonstrated in order to justify the grant of planning permission for the Materials Recycling Facility at Water Eaton and therefore would not necessarily preclude other sites being deemed suitable within the Green Belt. Chiltern Railways' view is that the Water Eaton site is essential as location for an integrated transport facility and that the physical constraints of the site as a whole are such that the new station could not be built without substantially encroachment on the land included within the permission for the waste handling facility.

⁽¹⁾ Cabinet Report of 15 September 2009, dealing with its response to the Chiltern Railways (Bicester to Oxford Improvements) Order

6 INTERFACE WITH PLANNED DEVELOPMENT AND MAJOR PLANNING APPLICATIONS

6.1 INTRODUCTION

6.1.1 The planned development of the North West Bicester Eco-town and Northern Gateway are two large scale development proposals that could benefit from the implementation of the Scheme and a number of major planning permissions and applications where there is a direct interface with the Scheme. The boundaries of the planning applications and permissions are shown on the Planning Direction Drawings.

6.2 INTERFACE WITH LARGE-SCALE PLANNED DEVELOPMENT

North West Bicester Eco-town

6.2.1 Eco-towns are a Government initiative that aims to create settlements that showcase sustainable development and living. Annex A of the PPS Eco-towns A Supplement to PPS1 [2009] identified North West Bicester as an Eco-town location. North West Bicester is one of the four Eco-towns being progressed that meet the Government's sustainability and deliverability requirements.

6.2.2 Following the publication of the PPS on Eco-towns and the decision to take forward the North West Bicester Eco-town proposal, Cherwell District Council has formally stated they will be including the Eco-town proposal in their Core Strategy.

6.2.3 The Location Decision Statement on Eco-Towns [16 July 2009] states that the North West Bicester Eco-town benefits from '*well developed prospective transport investment, including that by Chiltern Railways for an Oxford-Bicester-London (Marylebone) service*'. It is understood that the emerging Access Strategy for North West Bicester Eco-town will emphasise pedestrian, cycle and conventional bus links to Bicester Town station and the town centre.

6.2.4 It is worth noting that whilst the Scheme provides transport infrastructure improvements that support the principle of the North West Bicester Eco-town the two projects are independent and not linked. The delivery of the Scheme is not reliant on the Eco-town development coming forward in order to be viable.

Northern Gateway

6.2.5 Northern Gateway, on the northern edge of Oxford, in the vicinity of the Peartree roundabout, has been allocated in the Oxford City Core Strategy Proposed Submission as a strategic employment site under policy CS7. The Core Strategy has recently been through its Examination in Public and the Inspector's Report is awaited.

- 6.2.6 The Scheme is not linked to the Northern Gateway development and does not directly interface with it. However, should the allocation of the site come forward there could be opportunities to strengthen sustainable transport links by bus, cycle or on foot to the proposed Water Eaton Parkway station.

6.3 SCHEME INTERFACE WITH PLANNING PERMISSIONS

- 6.3.1 The Scheme will require the development of some land covered by current planning permissions. In case of two planning permissions, the Bicester Village car park and the Grundon's waste management facility, the development of the Scheme will prevent the implementation of these permissions. The policy implications of the sterilisation of the Grundon application have already been considered in **Section 5**.

North of Gavray Drive, Bicester [04/02797/OUT]

- 6.3.2 The connecting line which links the London to Birmingham to the Bicester to Oxford Line will be provided at Gavray Drive connecting to a point on the East West Rail Line. Outline planning permission [04/02797/OUT] for housing has been approved on the site. As part of the approved development, land at the western end of the site has been safeguarded to facilitate the construction of the connecting line. As the alignment of the connecting line is safeguarded the interface with the Scheme is considered to be acceptable.

Bicester Village Outlet Centre and Rail Car Parking, Station Approach, Bicester [08/00704/F]

- 6.3.3 Planning permission for an additional overspill car park for Bicester Village Outlet Centre was granted in July 2008. The redevelopment of Bicester Town station and its ancillary parking as part of the Scheme requires land take from the area covered by the planning permission [08/00704/F]. With the Scheme in place it will not be possible to implement this planning permission. The Bicester Village Outlet Centre scheme also included an allocation of spaces for rail passengers on weekdays only, which was a condition of the purchase of the land from British Railways Board (Residuary). This will not now be required due to the inclusion of dedicated car parking at Bicester Town station, which will be available throughout the week. Chiltern Railways has consulted with Value Retail Ltd, the owners of Bicester Village, who intend to submit a new planning application for a revised scheme for dedicated parking for the retail development.

Bicester Business Park [07/01106/OUT]

- 6.3.4 A resolution to grant outline planning permission, subject to a Section 106 agreement, was made in January 2008 for a 60,000 m² business park. The Scheme requires a narrow strip of land along the eastern boundary of the site, adjacent to the railway corridor. The business park illustrative masterplan shows that there would be no direct impact on the built elements of the development and the planning permission can be implemented.

Waste Reduction and Waste Materials Recycling Facility, Water Eaton [07/01857/CM]

- 6.3.5 A resolution to grant planning permission, subject to a Section 106 agreement, was made by Oxfordshire County Council as the Waste Planning Authority to Grundon in September 2008 for a Waste Reduction and Materials Recycling Facility. The Scheme will require the whole of the site for which planning permission has been granted, subject to a s106 agreement, in order to develop the Water Eaton Parkway station, rail based park and ride facilities and rail sidings. The Scheme would prevent the implementation of this planning permission for the development and operation of a waste facility.
- 6.3.6 Since the resolution to grant was made Viridor has been awarded the Oxfordshire municipal waste contract and is also the preferred bidder for a new energy from waste facility in Ardley, north Oxfordshire, which will have a capacity to process up to 300,000 tonnes of waste. Chiltern Railways takes the view that the proposed station and parking are not compatible with the implementation of this permission, in its present form. Oxfordshire County Council acknowledges in its Cabinet Report of 15 September 2009, dealing with its response to the Chiltern Railways (Bicester to Oxford Improvements) Order, that there are some concerns about the deliverability of the waste facility on the site.

6.4 CONCLUSION

- 6.4.1 The majority of the Scheme will take place within the existing railway corridor, but certain other land and rights need to be acquired. Where sites with planning permission or live applications will need to be acquired, Chiltern Railways will apply the statutory Compulsory Purchase Compensation Code to ensure fair payment to property and land owners.

7 PLANNING POLICY FRAMEWORK FOR ENVIRONMENTAL CONSIDERATIONS

7.1 INTRODUCTION

7.1.1 This section sets out the strategic planning policy framework for the environmental considerations raised by the Scheme and discussed in the Environmental Statement.

7.2 PLANNING POLICY FRAMEWORK FOR CONSIDERING ENVIRONMENTAL IMPACTS

Open Space

7.2.1 The construction and operation of the Scheme will give rise to the need for the permanent acquisition of land that may be used as open space. The principal land which may be used as open space, is the land to the North of Gavray Drive, adjacent to the site which is the subject of a planning permission for housing. The TWAO application includes provision for replacement open space on land to the east of Charbridge Lane, which may be needed to ensure that local levels of open space provision can be maintained and residents' recreational enjoyment is not impaired. The replacement open space is of a comparable size to the area being taken, adjacent to the area currently being used as open space, equally accessible for local residents who currently use the land north of Gavray Drive, similar in character and will provide an area of informal grass land that can be used for the same purposes as the existing area of open space.

7.2.2 As stated in paragraph 16 of PPG17, *'in considering planning applications – either within or adjoining open space – local authorities should weigh the benefits being offered to the community against the loss of open space that will occur'*. The acquisition of open space is integral to the development of the Scheme in delivering wider sustainable transport objectives. These benefits need to be weighed against any loss of open space that occurs. As replacement open space is to be provided, the Scheme is considered to comply with the objectives of open space policy to maintain levels of public provision and enjoyment.

Agricultural Land

7.2.3 National planning policy in PPS7 Sustainable Development in Rural Areas (2004) seeks to protect the best and most versatile agricultural land (defined as grades 1, 2 and 3a) from development unless opportunities have been assessed for accommodating development on previously developed sites and on land within the boundaries of existing urban areas. Paragraph 28 states that *'Where significant development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality land (grades 3b, 4 and 5) in preference to*

that of a higher quality, except where this would be inconsistent with other sustainability considerations’.

7.2.4 Some of the Grade 3 agricultural land take associated with the Scheme may affect Grade 3a agricultural land which falls within the definition of the ‘best and most versatile’ agricultural land as defined in PPS7 and the Cherwell Adopted and Non-statutory Local Plans.

Noise and Vibration

7.2.5 PPG24 Planning and Noise [1994] provides guidance on minimising the adverse impact of noise, notably through the use of conditions. PPG24 outlines the considerations to be taken into account in determining planning applications for noise generating development and provides specific guidance on assessing railway noise in Annex 3 of the PPG.

7.2.6 PPG24 acknowledges in paragraph 10 that *“much of the development which is necessary for ... the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development.”* PPG24 acknowledges in paragraph 18 that there *“will also be circumstances when it is acceptable – or even desirable in order to meet other planning objectives – to allow noise generating activities on land near or adjoining a noise sensitive development”*.

7.2.7 PPG24 recognises that mitigation measures should be proportionate and reasonable (paragraph 13) and may include:

- engineering: to reduce or contain generated noise, and to protect surrounding sensitive buildings;
- layout: through adequate distances or screening;
- administrative: in limiting operating times, restricting activities, or specifying noise limits.

7.2.8 The Scheme is considered to be ‘essential infrastructure’ and the upgrading and track works ‘necessary’ for the delivery of the Scheme. The Scheme will include stringent noise performance requirements and provide location specific mitigation measures, where practicable, in addition to those that are inherent in the Scheme’s design and operational procedures. Chiltern Railways is committed to the delivery of these measures and is prepared to accept an appropriate planning condition to secure this. The Scheme conforms to policy requirements for ‘proportionate’ and ‘reasonable’ mitigation.

Visual Impact on the Countryside

7.2.9 PPS7 Sustainable Development in Rural Areas [2004] contains within it a presumption that the quality and character of the wider countryside is protected and where possible enhanced (paragraph 15). The conclusion of the Landscape and visual impact Assessment is that the impact on landscape

character will generally be minor and in some areas there will be beneficial impacts on the character of the local landscape. Accordingly, the Scheme is in accordance with the policy objectives of PPS7 to protect and where possible enhance the countryside.

Ecology and Nature Conservation

- 7.2.10 PPS9 Biodiversity and Geological Conservation [2005] aims to conserve and enhance biological and ecological diversity. Statutory obligations are set out in the joint Defra and ODPM Circular 06/2005. Where a proposed development would significantly harm biodiversity and geological conservation interests, planning authorities must be satisfied that:
- the development cannot reasonably be located on alternative sites that would result in a lesser impact;
 - adequate mitigation measures are secured; and
 - appropriate compensation measures are sought if the impact cannot be mitigated.
- 7.2.11 Adequate mitigation measures such as complementary planting and habitat creation have been identified in order to address potential medium and long term impacts on the Wendlebury Ponds County Wildlife Site [CWS], some red list species, great crested newts and badgers. Overall, where significant effects have been identified these are short term effects which can be dealt with through appropriate mitigation and compensatory measures. The Scheme delivers adequate mitigation in order to ensure that there are no predicted long term significant effects and the policy tests in PPS9 in respect of these are met.
- 7.2.12 Bats that use the Wolvercot Tunnel will be affected by the Scheme. A range of mitigation measures have been identified to reduce potential significant impacts. However, there is a need for further surveys to confirm the extent of use of the tunnel by hibernating bats and to complete the design of the mitigation measures. The further surveys will inform the mitigation strategy in order to comply with the objectives of PPS9 and details will be agreed with Natural England.
- 7.2.13 Various protection levels are afforded to international sites such as Special Areas of Conservation (SACs), sites of national importance designated as Sites of Special Scientific Interest (SSSIs), local designated sites of biodiversity or geological interest and protected habitats and species.
- 7.2.14 In the case of SACs, where there is considered to be a 'likely significant effect' which is not directly connected with or necessary to the management of the site, the following steps need to be followed:

- carry out an Appropriate Assessment of the Scheme's implications on the site's conservation objectives and its interest features;
- ascertain whether the Scheme will have an adverse effect on the site's 'integrity', and whether conditions and other restrictions would help to ensure that it is not the case;
- establish whether there are alternative solutions that would have a lesser effect on the integrity of the site;
- state whether a priority habitat or species on site might be affected;
- describe whether there are imperative reasons of overriding public interest, which in the case of an impact on a priority habitat or species, must relate to human health, public safety or benefits of primary importance to the environment; and
- take any necessary compensatory measures to ensure the overall coherence of Natura 2000 is protected.

7.2.15 In the case of SSSIs, there is a presumption against development likely to have an adverse effect. An exception should only be made and permission granted, where the benefits at the site clearly outweigh both the likely impacts on the special features of the site and any broader impacts on the national network of SSSIs (paragraph 7). In any event harmful aspects of the development are to be mitigated through conditions.

7.2.16 The Scheme will result in the permanent loss of a small area of the margins of the Oxford Meadows SAC which is also designated as the Port Meadow with Wolvercote Common and Green SSSI. This represents such a small proportion [0.0008%] of the SAC/SSSI that it will not affect its integrity. Air emissions have the potential to affect the Oxford Meadows SAC, Wendlebury Meads and Mansmoor Closes SSSI, and the Hook Meadows and the Trap Grounds SSSI. The arrangements for monitoring and appropriate mitigation have been agreed with Natural England and will deal with any potential impacts. As the ecology assessment concludes that through the suggested monitoring process appropriate mitigation can be achieved, there is no further requirement for an appropriate assessment. As such it is considered that the Scheme meets the specific tests in relation to impacts on SACs and SSSIs contained within PPS9.

Flood Risk and Water Resources

7.2.17 PPS25 Development and Flood Risk [2006] seeks to ensure that flood risk is taken into account in development proposals in order to avoid inappropriate development in areas at risk of flooding, to direct development away from areas at highest risk, and where development is exceptionally necessary in such areas, to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall (paragraph 5).

7.2.18 Site specific Flood Risk Assessments [FRAs] are required in support of planning applications in Flood Zones 2 and 3, as crossed by the Scheme. A Level 2 Flood Risk Assessment [FRA] has been produced in accordance with PPS25 requirements.

7.2.19 The FRA shows that the Scheme is ‘flood resilient and resistant’ and that any residual risk can be safely managed without increasing flood risk elsewhere. Appropriate design and storage compensation have been incorporated in the Scheme and as such it complies with the policy tests in PPS25. Further assessment during detailed design phases will inform the emerging designs and ensure that the railway and its supporting infrastructure are constructed and operated in accordance with the requirements of PPS25 and promotes responsible flood risk management.

Cultural Heritage

7.2.20 PPG15 Planning and the Historic Environment [1994] seeks to protect listed buildings and their settings, conservation areas and registered parks and gardens. PPG15 looks to:

- preserve the special architectural or historic interest of listed buildings or their settings; and
- preserve or enhance the character or appearance of conservation areas.

7.2.21 There are no direct impacts on listed buildings or conservation areas in respect of the built elements of the Scheme. The impacts on the settings of listed buildings are assessed to be minor at worst as they visually separated from the Scheme by vegetation. There is deemed to be a minor to moderate impact on the views gained from the southern edge of the Islip Conservation Area as a result of the Islip/Mill Lane bridge. The Scheme does not directly impact on the ‘character or appearance of the conservation area’ itself and is in line with policy in PPG15.

Archaeology

7.2.22 PPG16 Archaeology and Planning [1990] introduces a presumption in favour of the preservation in situ of nationally important archaeological remains, whether scheduled or not, and their settings (paragraphs 8 and 27). Each case must however be assessed on its individual merits and planning authorities are required to weigh the relative importance of archaeology against the need for the proposed development. If preservation in situ is not feasible, a project brief by a qualified archaeologist for the excavation and recording of the remains prior to commencement of the development, and the subsequent publication of results (paragraphs 24 and 25). Conditions may be imposed to ensure that access is given to a nominated archaeologist either to hold a “watching brief” or carry out investigation and recording during construction (paragraph 29).

- 7.2.23 The alignment of the new Langford Lane has been specifically designed to avoid the Alchester Roman Town which is a Scheduled Ancient Monument [SAM].
- 7.2.24 Scheduled Monument Consent [SMC] is required for two small vehicular turning heads which may impact on archaeological remains within the SAM. Previous excavations, observations and analysis of aerial photographs suggest that both sites covered by the SMC lie within areas of known potential (as is indicated by their Scheduled status). Chiltern Railways will continue to consult with English Heritage about the potential for further investigations on the site covered by the Scheduled Monument Consent application.
- 7.2.25 Chiltern Railways, in accordance with the guidance in PPG16, proposes a planning condition that will require recording of archaeological remains before and during the development.

Land Quality

- 7.2.26 PPS23 Planning and Pollution [2004] makes it clear that quality of land is capable of being a material consideration (paragraph 8). Consideration should be given to the risks of and from land contamination and how these can be managed or reduced. The potential for contamination and any risk arising need to be properly assessed and the development needs to incorporate any necessary remediation and subsequent management measures to deal with unacceptable risks (paragraph 23). The land quality assessment was carried out in accordance with the framework of PPS23 and best practice guidance from Defra and the Environment Agency.
- 7.2.27 The draft Code of Code Practice [CoCP] establishes the principles of contaminated land mitigation. Adherence to the CoCP will be a contractual requirement and is the subject of a draft condition proposed by Chiltern Railways. There is considered to be a low risk of residual impacts to the environment from the operation of the Scheme or through material and waste handling and storage and a moderate risk that materials could enter surface waters through track drainage. The Scheme does not present any 'unacceptable risks' and necessary mitigation and management measures are to be put in place through a planning condition to ensure compliance with PPS23.

8.1 THE NEED FOR AND BENEFITS OF THE SCHEME

8.1.1 There is clear need for the Scheme to address rail under capacity in the local area and in tackling traffic congestion. Additional rail capacity is need to support planned growth in the area without putting additional pressure on an already highly congested transport network. The Scheme has a number of clear benefits and has gained in principle support from the all three local planning authorities and the Regional Planning Body for South East England.

8.1.2 In addition to the high level benefits of the Scheme in promoting modal shift and providing a viable alternative to the use of the car, the Scheme presents a number of important local benefits, namely:

- a more frequent service to and from Oxford;
- a fast and frequent commuter rail service between Bicester and Oxford providing an attractive alternative to the congested A34;
- an alternative to the existing route between London Paddington and Oxford during the planned period of disruption;
- additional station and railway car parking capacity in Bicester, helping to meet the town's anticipated population growth;
- direct rail services between Oxford and High Wycombe, for the first time in over 40 years, and connections to Wembley Stadium;
- direct rail services between London and the Bicester Village Outlet Centre, thus helping to take traffic off the M40; and
- easy access to rail services for residents from north and east Oxford, Kidlington and Yarnton, without having to travel into the centre of Oxford.

8.2 DELIVERING SUSTAINABLE TRANSPORT OBJECTIVES

8.2.1 National transport policy focuses on improving rail infrastructure and increasing capacity on the network. Rail can play a large part in contributing to low-carbon economic growth by providing a high quality service demanded by customers as an alternative to the car. Rail is a significant low-carbon option for an increasing number of travellers, and can provide further opportunities to reduce emissions from journeys between cities.

8.2.2 The Scheme supports planned housing and economic growth and meets strategic needs for improvements to public transport, in order to encourage modal shift in an area which is acknowledged as being particularly challenging. A priority of the South East Plan is to improve access to Oxford in order to relieve congestion. The Oxfordshire Local Transport Plan proposes the enhancement of the Oxford to Bicester rail service as a solution to this along side improvements to Oxford and local stations. There are a number of specific local plan allocations that support the delivery of the Scheme.

8.2.3 The Scheme will deliver an enhanced public transport network and will support planned growth in the region. In particular, the North West Bicester Eco-town will benefit from 'well developed prospective transport investment, including that by Chiltern Railways for an Oxford-Bicester-London (Marylebone) service'.

8.3 MEETING POLICY TESTS AND OBJECTIVES

8.3.1 Green Belt policy at national, regional and local level seeks to protect openness and avoid inappropriate development. The definition of infrastructure is taken to be the improvements of railway itself and any other ancillary infrastructure whose location is fixed. Any other related facilities, including stations must be considered in terms of whether can be considered appropriate in terms of their impact on the Green Belt. The Scheme is considered appropriate in PPG2 terms. In any event, there are compelling 'very special circumstances' to justify it.

8.3.2 Where the Scheme gives rise to environmental impacts these can be mitigated in most instances to ensure accordance with policy objectives. With regards to ecology, whilst it is expected that the mitigation strategy will ensure compliance with PPS9 there remains the potential for a significant operational impact on bats. Most of the land use impacts can be mitigated in order to conform with policy objectives. However, the Scheme may affect Grade 3a agricultural land as defined in PPS7 as being the 'best and most versatile'.

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