



Mrs Ruth Plucknett



Temple Point
Redcliffe Way
Bristol
BS1 6NL

BY EMAIL

Date 27th July 2026

Dear Mrs. Plucknett

The Network Rail (Tackley Level Crossing) Order 202[X]

We refer to your email correspondence to the Department for Transport (**DfT**) dated 9th July 2026 (**Correspondence**). Email correspondence between yourself and Network Rail Infrastructure Limited (**Network Rail**) was also received on 22 June 2026 and sets out the initial concerns raised more substantively in the Correspondence.

We appreciate the time you have taken to review the proposals and to provide detailed comments on the potential effects of the scheme anticipated by the Order (**Scheme**) in the Correspondence. The concerns outlined in the Correspondence relate to the removal of mature boundary vegetation located immediately to the north of the proposed bridleway (**Hedgerow**) and the resulting impacts on privacy, landscape character, biodiversity and residential amenity, together with concerns that less harmful design alternatives have not been adequately considered.

This letter provides further background and context to the proposals and responds to the issues raised in the Correspondence which we have collated under the following headings:

1. Lack of clarity regarding earlier proposals
2. Failure to adequately assess alternatives
3. Conflict with planning policy and ecological and biodiversity impacts
4. Impact on residential amenity, loss of established vegetation and harm to landscape character
5. Requested outcome

All documentation referred to in this letter has been uploaded to the website:
<https://gateleyhamer-pi.com/en-gb/tackley-level-crossing/>

1. Lack of clarity regarding earlier proposals

The Correspondence states that in previous discussions with Network Rail (NR) and plans provided as part of the November 2025 Consultation led you to understand that the hedge would be retained, the replacement bridleway route would run on the opposite side of the vegetation and the existing footpath adjacent to your property would cease to form part of the principal public route.

The Correspondence contends that the current proposal represents a material change in the environmental effects of the proposal and one which affected residents did not have the opportunity to comment on.

Network Rail Response

As part of the on-going informal engagement prior to the November 2025 Consultation, discussions took place between Network Rail and Tackley residents in August 2025. As part of those discussions, the bridleway was described to residents as to be located to the south of the hedge along the present informal route (used by persons due to the obstruction of the existing footpath by the hedge). This is acknowledged by Network Rail, but it is considered that the subsequent correspondence clarified the position.

November 2025 Consultation

Network Rail carried out a formal consultation in November 2025 with all affected parties on the proposed alignment of the bridleway along Route D. A consultation letter was issued to the residents of properties on Lime Kiln Road and Chaundy Road that about the route of the new bridleway. The letter referenced the draft Order and revised Order plans on the Inquiry website.

The letter expressly explains that part of Footpath 379/16/20 (the footpath located immediately south of the property boundaries and obstructed by the hedge) would be redesignated as a bridleway and the accompanying plans show the existing footpath along the property boundaries. Neither the letter, the revised draft Order or plans at that point make any reference to the hedge (either removing it or retaining it), however the correspondence is clear both as to (i) the location of the present formal footpath and (ii) that the formal footpath would be redesignated as bridleway (and widened). In so doing, the obstructing hedge would inevitably need to be removed.

Even without the bridleway redesignation, the hedge is in any event on the route of and causing an obstruction to the existing footpath. As such it should be lopped to provide access along the footpath and could be lopped or cut by the local highway authority pursuant to section 154 Highways Act 1980.

Network Rail's proposal is, and as remains, as per the position set out in the November consultation materials; there has been no change in position.

January 2026 Network Rail responses to stakeholder consultation responses

On 9 January 2026, Network Rail issued responses to consultation representations. In

Network Rail's response to Oxfordshire County Council, Network Rail confirmed that it was intending to route the bridleway along the existing footpath and as such the obstructing hedge would need to be removed. NR also confirmed that this was in accordance with the landowner's preference.

March 2026

Following the consultation, some amendments were proposed to the Order to respond to feedback – predominantly changes to the southern end of the bridleway and to the gating arrangements. In relation to this, an amended Order and plans were submitted to TIPU.

At the same time, a request for a direction for deemed planning permission for the works included in the Order was submitted to TIPU. Such a direction is common where works are sought to be authorised by an Order of the type applied for and needed to cover the relevant works that would be needed to create the bridleway – this included such matters as placing gates and removing hedges. This also ensured compliance with the requirements of the Hedgerow Regulations 1997 in respect of the bridleway conversion works.

The amended documents were shared with key stakeholders on a targeted engagement basis. These key stakeholders were identified as being parties that were affected by the changes to the Order set out in March or who had raised issues in response to the November consultation that the changes to the Order were intended to address (i.e. the changes to the southern end of the bridleway and to the gating arrangements throughout).

The documents were not circulated more widely and no further consultation on hedge removal was considered necessary, as there had been no substantive change to the Order or to the position set out during the November 2025 consultation and, in any event, as an obstruction to the footpath, the hedge could be cut or lopped at any moment.

Network Rail therefore considers that the removal of the hedge that obstructs the footpath does not represent a new or materially different element of the Scheme, but rather a consequence of the bridleway alignment that was consulted upon in November 2025 and subsequently clarified through engagement with stakeholders.

2. Failure to adequately assess alternatives

The Correspondence considers that NR has not yet demonstrated why the bridleway route cannot be repositioned or the working corridor reduced. It has also not been established why the vegetation cannot be retained and whether less environmentally damaging options have been properly evaluated.

Network Rail response

The alignment of the bridleway has been determined through consultation with landowners, Oxfordshire County Council (OCC), West Oxfordshire District Council (WODC) and other key stakeholders following the conclusion of the public inquiry. Network Rail has been mindful throughout of the fact that there is already a highway across the relevant land (i.e. Footpath 379/16/20).

The principal affected landowner would be Mr Peake, who owns the adjacent field. Retention of the hedge would increase the land being impacted by the Scheme as the location of the bridleway would be pushed further into the field reducing Mr Peake's ability to use, manage and derive value from his property. It would mean that there were 2 parallel highways running in close proximity to each other being both the existing footpath and the new bridleway – there is no good reason for such a situation. Under the Transport and Works Act 1992, NR is required to minimise adverse impacts on landowners and as such the route of bridleway has been aligned to replace the existing footpath, rather than run parallel to it.

The width of the bridleway has been prescribed by the local highways authority as the minimum necessary to accommodate users. The working area to facilitate the construction of the bridleway is the minimum necessary in order to enable the works to take place and will be reinstated following completion of the works.

The mitigation measures to be undertaken in relation to the removal of the Hedgerow are set out in the response to item 3 (Conflict with planning policy) below.

In these circumstances, Network Rail considers that the proposed alignment represents the most appropriate option, having regard to landowner impacts, operational and construction requirements, stakeholder input, and the environmental mitigation measures incorporated within the Scheme.

3. Conflict with planning policy and ecological and biodiversity impacts

The Correspondence contends that the proposed removal of the hedgerow may conflict with objectives of the National Planning Policy Framework (NPPF) and the environmental policies of West Oxfordshire Local Plan which seek to protect biodiversity, conserve landscape character, safeguard green infrastructure, minimise environmental harm and protect residential amenity.

It is stated that the Hedgerow provides habitat and ecological connectivity, including nesting opportunities for birds, habitat, wildlife corridors and biodiversity benefits. The Correspondence argues that the ecological value of mature vegetation cannot be replicated quickly through replacement planting and that avoiding harm should be prioritised over compensatory measures.

Network Rail response

Network Rail does not agree with this conclusion. The environmental effects arising from the proposed vegetation removal have been assessed as part of the application, and appropriate mitigation and compensation measures have been incorporated into the design. The scheme provides for replacement habitat and landscaping in accordance with applicable statutory and policy requirements, ensuring that the ecological effects of the proposals are appropriately addressed.

Ecological protection and enhancement measures associated with the scheme, including precautionary working methods, habitat and hedgerow protection, and ecological enhancement where appropriate are secured through the ecology-related conditions listed at Appendix A of the Planning Statement accompanying the request for deemed planning.

Condition 5 (Ecology Protection and Enhancement Details) in particular provides:

“Prior to the commencement of development, including any vegetation clearance or ground works, details of the measures to be implemented to protect and, where appropriate, enhance ecology shall be submitted to and approved in writing by the Local Planning Authority.

The submitted details shall be informed by and consistent with:

- the approved plans and drawings, and*
- the recommendations set out in the Preliminary Ecological Appraisal (PEA) dated October 2025 (Keystone Ecology, Rev 4).*

The details shall include, as a minimum:

- precautionary working methods to avoid harm to protected and notable species identified in the PEA;*
- measures for the protection and retention of existing habitats, trees and hedgerows during construction;*
- details of any hedgerow protection, removal or enhancement measures, including replacement planting where applicable; and*
- arrangements for ecological supervision where required.*

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development avoids harm to biodiversity and secures appropriate ecological protection and enhancement measures, in accordance with Policy EH3 (Biodiversity) of the West Oxfordshire Local Plan 2031 and Chapter 15 of the National Planning Policy Framework.”

The application has been considered by the relevant statutory consultees and local planning authority, and no objection has been raised on the basis that the proposed habitat mitigation and compensation measures are inadequate or fail to comply with relevant planning policy requirements. Accordingly, Network Rail considers that the scheme is consistent with national and local planning policy objectives when viewed in the round, taking account of the wider public benefits of the proposal, the mitigation measures proposed and the environmental assessments undertaken.

Whilst Network Rail acknowledges the concerns expressed regarding the loss of existing vegetation, it considers that the proposed mitigation, replacement planting and habitat creation measures represent an appropriate and policy-compliant response to the environmental effects identified.

4. Impact on residential amenity, loss of established vegetation and harm to landscape character

The Correspondence notes that the Hedgerow, whilst described by Network Rail as 'scrub', has become a mature and established landscape feature which perform a number of important simultaneous functions. It is stated that the Hedgerow currently provides privacy and screening from public users, separation between homes and the countryside, shelter and a sense of seclusion and reduces noise and visual disturbance from public activity.

The Correspondence notes that removing the Hedgerow would expose neighbouring properties to increased overlooking, noise, activity and result in the loss of rural character. It is also noted that any replacement planting would take many years to provide equivalent screening.

Network Rail response

The Correspondence correctly identifies that the existing hedgerow provides a degree of screening, privacy and separation between neighbouring residential properties and the surrounding countryside. Network Rail acknowledges that its removal will alter the relationship between the proposed bridleway and adjoining properties and recognises that any replacement planting would take time to establish.

However, the hedgerow is not located on the land of residential properties that benefit from that screening. Rather, it is situated within land owned by a third party. Retaining the hedgerow would require the bridleway to be moved further into that landowner's field, thereby increasing the extent of land affected by the Scheme and further constraining the landowner's ability to use, manage and derive value from their property. Network Rail is required to balance the interests of all affected parties and, in accordance with its statutory obligations, has sought to minimise impacts on the landowner whose land is required for the Scheme.

It is also relevant that there is nothing preventing the landowner from removing the hedgerow independently of the Scheme. The continued presence of the hedgerow is therefore not secured in the absence of the proposed works and cannot be assumed to remain in perpetuity. As stated above, the local highway authority could require the lopping of cutting of the hedge to prevent the obstruction to the existing Footpath, so any benefit from the hedge is temporary and contingent.

Notwithstanding this position, Network Rail has sought to engage constructively with affected residents regarding the loss of screening. Network Rail has been discussing potential alternative screening measures with residents outside the scope of the Order, including opportunities for replacement planting and other boundary treatments within their own landholdings where appropriate. These discussions are intended to explore practical solutions that may assist in maintaining privacy and visual screening, whilst avoiding additional impacts on third-party land.

In these circumstances, Network Rail considers that the concerns raised regarding the loss of screening must be balanced against the rights and interests of the affected landowner, the operational requirements of the Scheme and the mitigation measures being pursued to

address the effects on neighbouring residents.

5. Requested outcome

The Correspondence requests that in the first instance Network Rail be required to amend the detailed design of the scheme anticipated under the Order so as to retain the existing vegetation. If the Secretary of State determines that the Order should be granted, the Correspondence requests that conditions be imposed to require the maximum retention of the Hedgerow, substantive native replacement planting before any clearance takes place, long-term ecological management, protection of retained vegetation during construction and continued maintenance of the landscape buffer.

Network Rail response

Network Rail does not consider that the Scheme should be amended to retain the hedgerow, as this would require the bridleway to be moved further into adjoining third-party land, resulting in greater impacts on the affected landowner.

In addition, the measures requested in the Correspondence are already provided for through the Scheme and the proposed planning conditions. These include wider ecological protection measures, replacement planting where appropriate, and long-term management and mitigation requirements. Network Rail therefore does not consider that any amendment to the Order or the imposition of further planning conditions are necessary to achieve the outcomes requested under the Correspondence.

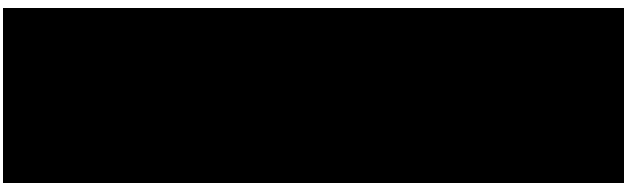
Conclusion

Network Rail has carefully considered the concerns raised in your correspondence. However, it remains satisfied that the proposed bridleway alignment represents the most appropriate option, having regard to landowner interests, stakeholder feedback, operational requirements and environmental considerations.

The environmental effects of the Scheme have been assessed, appropriate mitigation measures have been secured, and no objections have been raised by the local planning authority or statutory consultees in respect of the proposed ecological mitigation. Network Rail therefore continues to support the Order as proposed, while remaining committed to working with affected residents to identify appropriate alternative screening measures where possible.

Please don't hesitate to contact David Wilson if you require any clarification on any points. We look forward to hearing from you.

Yours sincerely,



David Wilson

Head of Consents and Environmental Planning

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