

NR-W4-3 Lisa Bullock – Summary of Proof of Evidence

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

THE NETWORK RAIL (TACKLEY LEVEL CROSSING) ORDER

**SUMMARY PROOF OF EVIDENCE – LISA BULLOCK of NETWORK RAIL
PLANNING**

Date: 21 MAY 2024

1. Introduction

- 1.1 My name is Lisa Bullock and I am a Town Planner for Network Rail Infrastructure Limited (**Network Rail**).
- 1.2 My proof of evidence for this Public Inquiry includes consideration of the following matters:
 - i. The consenting regimes for the scheme in order to provide confidence to the Inspector that there are no planning impediments to the delivery of the Scheme.

2. Description of the site

- 2.1 My Proof sets out a description of the site at which the works are proposed to take place, particularly with regards to the siting of the station and confirms that there are no planning constraints with the Scheme area.

3. Current status of the level crossing and the consenting regimes for the Scheme

- 3.1 My Proof sets out the background to the current temporary closure of the Tackley level crossing and construction of the temporary footbridge which is open for use by the public and station users.
- 3.2 My proof explains that the all permanent works to be carried out in relation to the Scheme will be permitted development of which prior approval for the footbridge to the relevant local planning authority has been carried out under Class A, Part 18 of Schedule 2 to the Town and Country Planning (General Permitted Development (England) Order 2015 (**GPDO**) for the permanent works and Class A of Part 4 of the GPDO for the temporary works.
- 3.3 No part of the works required for the Scheme is proposed to be authorised by the Order and the application for the Order does not include a request for deemed planning permission under section 90(2A) of the Town and Country Planning Act 1990.

4. Network Rail Permitted Development Rights

- 4.1 Network Rail has extensive permitted development rights under Schedule 2 to the GPDO. In my Proof I describe these rights in detail, setting out the parts of the GPDO (being Part 18 and Part 4 which are applicable here and how they are justified in this context.
- 4.2 Part 18 of the GPDO permits "*development authorised by a local or private Act of Parliament*". In the case of Tackley the railway was constructed under the authority of the Oxford and Rugby Railway Act 1845 (RCCA 1845). Part 18 provides that certain types of development do not benefit from deemed planning permission under part 18 "*unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.*" The construction of the footbridge required prior approval to be obtained.
- 4.3 The temporary footbridge currently being used to cross the railway was permitted under Class A of Part 4 GPDO. Class A allows the provision of temporary structures required

in connection with and for the duration of operations being or to be carried out on that land. In this case it would be the provision of the permanent footbridge which has deemed consent under Part 18 GPDO. Network Rail will also rely on Class A of Part 4 of the GPDO, during the construction of the Scheme.

5. Prior approval application

- 5.1 A prior approval application was submitted to West Oxfordshire District Council (**WODC**) for a footbridge with lifts and stairs located at the station and consent was granted for the footbridge by WODC on 9 April 2024.
- 5.2 In the design process and determination of the prior approval application a wide range of issues relating to the amenity of the neighbourhood along with the location of the bridge were considered.

6. Consultation and engagement with local planning authority WODC

- 6.1 My Proof sets out the history of consultation with WODC in relation to the Scheme.
- 6.2 Network Rail undertook pre-application consultation with WODC in regard to the Scheme including the consent process, merits of the Scheme, required documents for the prior approval application and temporary works.

7. Planning policy

- 7.1 My Proof sets out details of the relevant planning policy regime to confirm that the Scheme accords with the National Planning Policy Framework, as well as the West Oxfordshire Local Plan 2031, development framework policy, and other policies. The Scheme is considered to be in accordance with the WOLP and other relevant local and national policies as it will provide railway improvements, safe travel for pedestrians and the like, whilst adding to the network of public rights of way within the local area.
- 7.2

8. Response to objections

- 8.1 There were no objections to the prior approval application, although concerns were raised in objections on the Order in relation to impacts on the amenities of residents, specifically visual amenity, privacy and overlook which my Proof responds to.
- 8.2 My Proof makes clear that the development of the footbridge did take into consideration the amenities of the neighbourhood during the design process.

9. Response to Statement of Matters

- 9.1 My Proof responds to town planning related matters raised within the Secretary of State's Statement of Matters on 17 April 2024, specifically item 5."...whether the Footbridge would impact upon neighbouring land" referring to the documentation in which such impacts are addressed.

10. Conclusion

- 10.1 My Proof concludes that the Scheme can be delivered under the terms of the proposed Order and associated town planning legislation and that there are no planning impediments to the Scheme. The principle of the Scheme and the terms of the Proposed Order are considered to be supported by the NPPF and relevant local planning policies.

Witness Declaration

I have declared as follows:

- i. This Summary Proof includes all facts which I regard as being relevant to the opinions that I have expressed in my full Proof of Evidence and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- ii. I believe the facts that I have stated in this Summary Proof are true and that the opinions expressed are correct.
- iii. I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.

A handwritten signature in black ink, appearing to read 'LBullock', is centered on the page.

Signed:

Dated: 21 May 2024

Lisa Bullock
Town Planner