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Dear James

Application for 'Prior Approval' Application, Under Part 18 Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015

Erection of footbridge with lifts at Tackley station, Station Approach, Tackley, Oxfordshire, OX5 3AT.

On behalf of Network Rail please find enclosed an application for prior approval under Part 18, Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) Order (GPDO) 2015 for the erection of footbridge with lifts at Tackley station, Station Approach, Tackley.

Tackley station is located on the Engineer's Line Reference (ELR) Didcot and Chester Line, Oxford (DCLO) at 72 miles, 50 chains.

Please find the following documents submitted in support of this application:

Title	Reference Number	Rev
Landscape and Visual Impact Assessment	160474-TAZ-OXF-DCL-FOD-EAR-010001	A04
Daylight Impact Assessment	160474-TAZ-OXF-DCL-FOD-EAR-010001	A04
Lighting Impact Assessment	160474-TAZ-OXF-DCL-FOD-EAR-010001	A04
Architectural Visualisations	160474-TAZ-OXF-DCL-FOD-EAR-010001	A04
Design and Access Statement	160474-TAZ-OXF-DCL-FOD-EAR-010001	A04
Proposed Landscaping	LM24025-DYSE-XX-ZZ-DR-S-1001	P01
Preliminary Ecological Appraisal and BNG Assessment	T9294	V2.0
Sections	160474-TAZ-OXF-DCL-DRG-ECV-010002	P01.1

General Arrangement	160474-TAZ-OXF-DCL-DRG-ECV-010001	P02.1
Site Location Plan	TP-001	15/02/2024

Proposal

The aim of the proposal is to close the level crossing at Tackley station. The process of this includes the following: -

1. Provision of a footbridge with lifts – This work is subject of this Prior Approval, under Part 18 of the GPDO.
2. Alteration to an existing bridleway and public footpath - new, diversion, downgrade and stopping up order – This work is subject of a Transport and Works Act Order currently being considered by the Secretary of State.

Background

Need

The Oxford Corridor project currently underway is designed to increase rail capacity (for both passengers and freight) on the strategic route from Didcot (and the south) through Oxford to Banbury (and the north) and therefore intends to run more and longer trains through Tackley.

The existing crossing at Tackley is the highest ranked passive Bridle crossing on the Western Route. This is based on the score from 2019 (pre closure) when compared to crossing ranked with today's scores.

We can't improve or close every crossing for technical reasons, so while it isn't necessarily number one in risk score it is way up there in terms of priority to improve. And the incident history here speaks for itself. As such, it is not feasible to run more trains on the route with the existing crossing arrangements in place, therefore the crossing needs to be closed and alternative means of crossing the railway for all users to be implemented. A fatality on this crossing in 2008 and several recent near misses also give weight to the argument for closure.

West Oxfordshire District Council will be aware, the region is experiencing a period of growth, and the following requirements have been identified by Network Rail to ensure a safe, sustainable rail network ready for all.

The Oxford Corridor Phase 2 Capacity Improvement Scheme forms part of a package of rail enhancement schemes which deliver significant economic and strategic benefits to the wider Oxford area and the country. When complete, there will be extra capacity for the rail network.

Oxford Phase 2 works are planned in 4 parts (2A/B/C/D), with scheme development to take place in Control Period 5 (to March 2019) and delivery in CP6 (April 2019-March 2024).

Part 2A: Level Crossings: Level crossing mitigations between Wolvercote Junction and Heyford are required to improve safety and create additional capacity by unlocking headway improvements. Bi-Directional Signalling shall also be commissioned through this area.

Part 2B: Track Works – High Speed Crossovers: The project shall develop 75mph high speed crossovers at Oxford North Junction to support improved East West Rail service. These works will be undertaken utilising Network Rails permitted development rights under Part 8, and 18 of the GPDO.

Part 2C: Botley Road Bridge: Develop a new span to accommodate an additional west side island platform. Take account of the highway authorities' requirements for a wider carriageway / pedestrian and cycle capacity improvements of the existing Botley Road layout.

Part 2D: Oxford Station works, Western Entrance and Track Works: Provide a new down-side twin-face platform to include western entrance access from Roger Dudman Way.

Part 2A above includes the closure of three level crossings. Tackley (West Oxfordshire District Council), Sandy Lane and Yarnton Lane level crossings (Cherwell District Council).

It should be noted that if the above works was not being progressed by our Infrastructure Project (IP) team, the Western route of Network Rail would be still seeking closure of Tackley level crossing to reduce the level crossing risk on the route and improve public safety.

<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/level-crossings/>

History

Around 2000 a project called 'Operation Princess' (known internally as Cross Country Route Mod or CCRM) was completed to allow introduction of (new at the time) class 220 and 221 trains and a greatly accelerated passenger service across large swathes of the country, which included from Bournemouth / Southampton / Reading / Oxford to Banbury / Birmingham / Manchester / Newcastle, and with more trains running than previous. The scheme included closure of many level crossings across the network, with footpath crossings typically replaced by footbridges.

A footbridge was proposed south of Tackley station but failed to gain planning permission. This resulted in a subsequent proposal to provide a subway in a similar location, which would have allowed access to all users (including equestrians). This again failed to gain planning permission but was subsequently allowed on appeal. The delay caused by the planning process was so long that the 'Operation Princess' scheme had already been commissioned and therefore the business case imperative was lost to deliver the work, and the crossing remained in place, with safety improvements.

Planning reference number	Proposal	Decision and date	Reason for decision
W2000/1962	Erection of footbridge	Refused 06/03/2001	<ol style="list-style-type: none"> 1. <i>That the proposed footbridge will be reason of its size, design and use of materials represent an alien, incongruous an overtly urban feature in this rural location. As such the proposal is considered to be contrary to Policies BE3 and BE5 of the West Oxfordshire Local Plan.</i> 2. <i>That the proposed footbridge will, by reason of its height and siting, give rise to overlooking and be an overbearing form of development which would be detrimental to the residential amenities of property on Nethercote Road.</i> 3. <i>That the proposal would be contrary to Policies BE4, T1 and T5 and the transport objectives of the West Oxfordshire Local Plan in that the proposal does not make adequate provision for the disabled, elderly, children and cyclists.</i>
 <p>Tackley Station Footbridge Artists Impression – Solid Parapet</p> <p>No. TLX 7247/B</p>			
W2002/1219	Construction of new subway under the railway to allow the diversion of the existing footpath and bridleway from the existing level crossing so that it can be closed	Refused 10/10/2002	<ol style="list-style-type: none"> 1. <i>That by reason of its design, the proposed subway would fail to make safe and convenient provision for horses, their riders, pedestrians, cyclists, the elderly and disabled people, and as such would be contrary to Policies BE3 and BE4 of the West Oxfordshire Local Plan.</i> 2. <i>That the proposed development by reason of its</i>

 <p>Figure 3 - Visualisation of subway approach</p>			<p><i>siting, size and design, would appear as an unduly prominent and intrusive feature in the rural scene and as such would be harmful to the visual amenity of this edge of the village and would have an adverse effect upon the natural beauty of this part of the Area of High Landscape Value. As such the proposal would be contrary to Policies BE3, BE5, CO1 and CO7 of the West Oxfordshire Local Plan.</i></p>
<p>APP/D3125/A/02/1102495</p>	<p>Appeal of planning application reference W2002/1219</p>	<p>Allowed 23/04/2003</p>	<p><i>The Secretary of State conclude that the appeal proposals would not cause unacceptable harm to the character and appearance of the landscape of the Area of High Landscape Value, and would not have an unacceptable impact on the safety or convenience of users of the existing level crossing. Therefore, they conclude that the proposal are in accordance with the development plan policies and the guiding principles of PPG13.</i></p> <p><i>Note: Landscaping conditions were added to the grant of planning permission.</i></p>

Temporary Closure of Tackley Level Crossing

A temporary closure of Tackley Level crossing was approved by Oxfordshire County Council. The start date for the order was 1/1/2020, subject to a temporary footbridge being constructed to replace the crossing.

Currently the crossing is closed and there is a temporary stepped footbridge located at the station. An email was sent to Joan Desmond to inform of this on 23/12/2019, with an update on 20/1/2020 (see Appendix A).

Figure 3 – Temporary footbridge being constructed and built



Description of the Site

Tackley level crossing is located on the Didcot and Chester Line (DCL) at 72 miles 47 chains. The railway forms the eastern boundary to Tackley village. The village has a population of about 1,000 people and is an attractive established settlement, with facilities which include a church, village hall, shop and pub.

The entrance to Tackley station is from Nethercote Road, a largely residential road. Passengers wishing to access the Oxford-bound platform would have to cross the line using a level crossing at the end of Nethercote Road, although currently the crossing is temporary closed and a temporary footbridge is located within the station. This crossing also accommodated a bridleway and is part of Sustrans' National cycle Route 51. The surrounding area is open countryside.

Oxford Canal runs from Royal Leamington Spa to Oxford and passes the village of Tackley less than half a mile east of the station.

Pre-Application Advice

Network Rail has sought pre-application advice and detail of this is set out below:

Date requested	Proposal	Response	Officer & Date of response
28/05/2019	Provision of footbridge or subway, south of the level crossing.	The allowed appeal for the new subway would be a material consideration; Locating south of the level crossing...would hopefully address previous concerns raised in respect of its impact on the residential amenity of properties on Nethercote Road.	Joan Desmond 08/08/2019
02/08/2022	Provision of a footbridge with lifts just north of the station.	The proposed siting is likely to minimise the visual and landscape impact of the works as well as neighbourliness impact.	James Nelson 07/10/2022
14/11/2023	Provision of a footbridge with lifts at the station.	The siting represents the most logical position and can see views into neighbouring properties would be screened. In terms of design, it is characteristic of railway infrastructure and so have no objections.	James Nelson 24/11/2023

Details of the pre-app submissions and responses are provided at Appendix B.

Proposed Development

The aim of the project is to permanently close Tackley Level crossing.

In line with Network Rails “Access for All Programme” we will have to provide lifts for the footbridge in order to provide an obstacle free, accessible route to and between platforms.

The location of the bridge is also crucial to ensure that we have a convenient route, in order that passengers are not tempted to trespass onto the railway line and to minimise the impact the bridge would have on the surrounding environment.

Options Selection

We have commissioned an independent options selection (IOS) to progress with the permanent solution. The Independent Assessment was undertaken by Mott MacDonald in April 2022 (full report provided at Appendix C).

The outcome of this report was that Option B was considered suitable for the bridleway option (this element of the scheme is being processed via a TWAO) and Options 1,3,5,7/7a, 10 and 11 were considered suitable for pedestrians (see suitable options highlighted below).

Pedestrian options

1	Stepped and ramped bridge at station with bridleway diversion
2	Stepped bridge at station with bridleway diversion
3	Stepped / ramped / equestrian bridge to the south
4	Stepped / equestrian bridge to the south
5	Stepped and ramped subway at station with bridleway diversion
6	Stepped subway at station with bridleway diversion
7	Subway with equestrian provision to the south
7a	Subway with equestrian provision to the south n/a
8	Developer ramped / equestrian bridge plus second station step
9	MSL
10	Developer ramped / equestrian bridge with ramp links n/a
11	Stepped footbridge with lifts and bridleway diversion

Our chosen option

The proposal is to divert pedestrians and cyclists to a new footbridge at the station and divert the bridleway and equestrian users via a new bridleway which will link up with an existing bridleway.

The IOS has identified a range of suitable options, the option we have chosen and adapted is Option 11 “Stepped footbridge with lifts and bridleway diversion”.

The footbridge will be located on the norther end of the platform, in a similar location as the existing temporary footbridge.

We considered locating the footbridge some 50m north of the station, but this has since been discounted due to the additional distance users would have to travel to cross the bridge and the additional distance would also increase the risk of trespass; there have been recorded incidents of persons jumping onto the track to cross the line even with the much closer temporary footbridge arrangement.

Part 18 Legislation and Prior Approval

This proposal is submitted under Part 18, Class A to Schedule 2 of the GPDO 2015 as permitted development. It does not require full planning permission but the Local Planning Authority (LPA) must give its approval prior to the implementation of the scheme.

Part 18 of the GPDO is applicable to developments which were initially authorised by an Act of Parliament.

The station and existing associated railway land around it were constructed under The Oxford and Rugby Railway Act 1845 is the authorising act for the line between Oxford and Rugby; now known as the DCL. The Act of 1845 incorporated the provisions of the Railway Clauses Consolidation Act 1845.

Section 16 of the 1845 Act gave the then Railway Company and its successors in title, the power to build, alter and maintain the railway, including the following provisions:

“They may make or construct, in, upon, across, under or over any lands ..within the lands described in the said plans, or mentioned in the said books of reference or any correction thereof, ..bridges ..as they think proper.”

“They may erect and construct such ..stations ..and other works and conveniences as they think proper;”

“They may from time to time alter, repair, or discontinue the before mentioned works or any of them, **and substitute others in their stead**; and”

“They may do all other acts necessary for making, maintaining, altering, or repairing, and using the railway ..”

Accordingly, the railway works proposed could be authorised by The Oxford and Rugby Railway Act 1845. The works are located within the limits of deviation of these Authorising Acts. Therefore, the works proposed, fall within the scope of permitted development rights set out within Part 18 of the GPDO as we would “substitute others in their stead” to reconstruct a station where one previously existed.

Notwithstanding this, the proposed to construct a bridge first require the ‘Prior Approval’ of the Local Planning Authority in relation only to the siting and design of the works. The GPDO states that ‘prior approval’ must not be unreasonably refused, nor conditions imposed unless the authority considers that alterations to that design are required to mitigate its impact.

This Act of Parliament gives provisions to; and bestows upon the railway company and its successors (Network Rail) the power to make developments necessary to the running and management of the railway.

Paragraph A.2 (of Part 18, GPDO) outlines the process by which the LPA can give their Prior Approval and comment on the proposals. It states:

The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that -

- (a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- (b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

The LPA may consider only the design, materials, and siting of the works to ensure that the development proposed 'would not injure the amenities of the neighbourhood' and be satisfied that it could not be 'reasonably carried out elsewhere'.

Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 and so Environmental Impact Assessment is not required.

The development is within the scope set out in Paragraph 13 of Schedule 2 of the 2017 regulations. Which refers to the description relating to the original authorisation of the railway (Paragraph 7 of Schedule 1). Paragraph 13 indicates that the thresholds of Paragraph 10(d) of Schedule 2 should be met.

Stakeholder Engagement

Consultation with various stakeholders has already taken place. This includes Oxfordshire County Council PROW, Tackley Parish Council, The British Horse Society and affected landowners.

We have also undertaken events aimed at public rights of way and railway users, as well as the local community.

Planning Policy

The works as outlined above is permitted development under Part 18 Class A to Schedule 2 of the GPDO 2015 and therefore deemed not to require a full planning application. Notwithstanding this, Network Rail has completed a review of relevant local policy and summarises compliance with this below.

National Policy Context

Network Rail would like to take this opportunity to indicate how these proposals would be in accordance with planning policy.

The National Planning Policy Framework (NPPF)

The NPPF (2023) provides the Governments overarching planning policies for plan making and decision making in England, with the presumption in favour of sustainable development at its heart.

Transport policy contained within the NPPF is largely focused on the impact of, and location of, new development, in relation to existing transport infrastructure, and provides limited guidance on proposals for new transport infrastructure.

Chapter 9 sets out the Government's key aims for promoting sustainable transport, which is defined in the Glossary as including public transport. Paragraph 116 informs that public transport use should be encouraged and that the needs of people with disabilities and reduced mobility should be addressed.

Chapter 12 notes the importance attached to the good design of the built environment. It advises at paragraph 135 that planning policies and decisions should ensure that developments meet a number of design characteristics including:

Will function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development:

are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and

optimise the potential for the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and supporting local facilities and transport networks.

Strategic, Regional & Local Policy Context

Oxford Strategic Partnership's Economic Growth strategy sets out the policy framework for economic development in Oxfordshire.

The Oxfordshire Structure Plan includes a major review of transport policies throughout the County and is designed to address the issues of sustainability by reducing car use and increasing public transport, cycling and walking. Such examples include the support and continuous improvements of public transport links.

Local Transport and connectivity Plan: LTP 2022-2050 (July 2022):

Oxfordshire's adopted Local Transport Plan 5 sets out the counties Rail Strategy. The Oxfordshire Rail Corridor Study (ORCS) has been funded and progressed as a partnership between the Department for Transport, local stakeholders and the rail industry to identify opportunities and to enhance rail usage in Oxfordshire.

Policy 21 of the LTP5 confirms that the council will use the ORCS and Oxfordshire Connect projects to guide their approach to rail and priorities for rail investment in Oxfordshire.

Oxfordshire Rail Corridor Study (ORCS) 2021

The study sets out details of interventions required to support growth in Oxfordshire and identifies Oxford Phase 2 and the need for level crossing improvements in Key Output 4.

Network Rail is already undertaking a £7.5 billion upgrade of the Great Western Mainline which has upgraded routes through large-scale infrastructure works and the introduction of new rolling stock.

Other committed strategic rail projects will improve capacity of the rail network and increase opportunities to travel by train to a range of new destinations.

Investment in the strategic rail corridor through Oxford is also an essential part of the transport strategy, as increasing the capacity of the rail network (for both passengers and freight) reduces pressure and congestion on the strategic highway network.

West Oxfordshire Local Plan

The West Oxfordshire Local Plan was formally adopted on 27 September 2018 and sets out the overall planning framework for the District from 2011 – 2031.

Section 7 of the plan looks to increase public transport and informs that West Oxfordshire Council will continue to work in partnership with the County Council and rail providers for the delivery of the various schemes and aspirations that have been identified.

Policy T3 sets out the councils promise to increase the use of rail and provide safe and convenient travel, particularly for pedestrians, cyclists and other vulnerable users.

Key Planning Considerations - Principal of Development

Through this prior approval application, Network Rail seeks the Council's approval on the proposed footbridge with lifts and steps at the station in order to help achieve the necessary requirement to remove the level crossing at Tackley, as part of the wider programme of works and to improve safety and enable the benefits of Oxford Phase 2.

The provision of railway improvements and safe travel for pedestrians and the like are supported by Oxfordshire County Council's adopted Local Transport Plan 4 (notably Policy 21 and the ORCS, as referenced earlier). This is supported by West Oxfordshire District Council and is validated by Policy T3 of The West Oxfordshire Local Plan (2018).

The provision of a footbridge and the diversion of the bridleway at Tackley station will enable the closure of the level crossing. This will remove any future risk for persons crossing the railway at this point. The works will also allow for more trains enabling improvements and efficiencies for the railway network.

Consideration of proposed development

Reason for development and design concept

The provision of an accessible footbridge at the station to enable pedestrian access between the platforms will allow pedestrians the ability to cross the railway, without the need to use Tackley level crossing which is of a higher risk profile than many other similar crossings.

Currently, the level crossing has been closed owing to significant safety concerns. The section of railway immediately south of the station passes through a large radius curve with a maximum permitted speed of 110mph, meaning that trains approach the level crossing at high speed with little warning. This has resulted in a high frequency of incidents on the level crossing, as such, identified as one of the most dangerous crossings on the Wales and Western network.

A separate application for the diversion of the bridleway has been made in the form of a Transport and Works Act Order, as such, is not a consideration for this development.

Design Concept

It is proposed to construct a fully accessible footbridge on the northern platform ends, in the same location as the current temporary footbridge is located. The footbridge will include lifts and stairs (cycle wheel ramps are to be provided on the staircases to assist cyclists).

The orientation of the bridge is such that any user will approach the lifts first with the stairs located behind so that step free access is the priority. The platforms either side of the bridge will need to be extended to accommodate the stairs of the bridge.

Design and Materials

Local Plan policy requires that new development must be of high design quality that maintains and enhances the character and appearance of the area. A design and access statement has been submitted with this application for prior approval.

Designed to replicate the appearance of a Victorian era wrought iron lattice footbridge the parapets will include lattice panels. The colour scheme of white and green is the preference of the community, as per feedback during public consultation. Traditionally the London and North Eastern London Railway (LNER) which was formed in 1923 introduced a colour scheme for buildings of two light colours, stone and deep cream, either of which was used with a brown. Footbridges were painted in the brown, as were metal handrails and the like. Fencing and gates were stone or cream. In July 1937 a new schedule was introduced in which the brown was replaced with a mid-green (Buckingham Green). Timber footbridges were painted stone or cream, but metal footbridges were painted green.

The intention is to ensure that the overall appearance of the railway station is a cohesive streamlined facility. The relandscaping around the station will improve the appearance

of the station whilst maintaining biodiversity. The provision of a bridge with lifts and stairs with cycle wheel ramps will provide an improved experience for all users.

Figure 4 – Visualisations of the proposed footbridge



Landscape and Visual Impact

A landscape and visual impact assessment accompanies this prior approval application. The assessment focuses on a variety of viewpoints surrounding the site, some within a “Short Range”, “Medium Range” and “Long Range”.

Included in the short range are the adjacent properties, public footpaths and bridlepaths. The assessment confirms that the bridge can be seen from surrounding footpaths however tall hedges prevent viewing along much of their length. The built up area to the west of the station includes Nethercote Road where the houses on the eastern side of the road rear gardens border the railway. Photos have been taken from the back gardens of 59 and 63 Nethercote Road. The footbridge will be visible from these properties.

The medium range includes from within the built-up village of Tackley as well as St Nicholas Church, Fox Hill and canal towpath. Long range views have been assessed from Kirlington Quarry and the outskirts of Kirlington.

The report sets out the potential impacts and mitigation measures incorporated into the design of the bridge identifying that the most significant impacts are likely to occur at short ranges, primarily related to the views from neighbouring properties.

A matrix is included to score the impact of the bridge against 'Detectability of impact' and 'Severity of impact', in terms of 'Privacy', 'View', 'Shadows', 'Light Pollution', 'Architectural Style', 'Vegetation', 'Station Aesthetic', 'Natural landscape', 'Security' and 'Light and Space'.

In conclusion, the footbridge would present a visual impact on the local landscape which will be effectively reduced due to the sympathetic design which includes transparent lattice panels (although solid panels will be added to the parapet adjacent to the properties in Nethercote Road), natural colours, low-height lift shafts, vegetation and advantageous topography.

Overlooking and Overshadowing

Drawing reference 160474-TAZ-OXF-DCL-DRG-ECV-010002 details that the parapets on the bridge will be 1.8m high, with solid infill panels added to the down side parapet (adjacent to properties in Nethercote Road). This will ensure that it will not be possible to overlook into any of the properties, or their gardens, by any person using the footbridge.

A daylight impact assessment accompanies this prior approval application. It sets out the level of shadows cast both without the proposed footbridge and then with the footbridge at various times of the day. The assessment concludes that due to the bridge being located to the east of the gardens any additional shadowing is most likely to be in the morning, particularly during winter when the sun sits low in the sky to the east.

Planning policy, both nationally and locally do not cover the issue of overshadowing. Local authorities would usually express standards in the form of design guides. West Oxfordshire District Council's Supplementary Planning Document, West Oxfordshire Design Guide adopted in April 2016 is silent on this matter. Planning Practice Guidance at paragraph 008 "Determining a planning application" informs that protection of purely private interests such as the impact of a development on...loss of private rights cannot be a material consideration. Rights to light are therefore separate from the planning system.

In conclusion the design of the footbridge with a solid 1.8m high parapet will ensure no overlooking occurs and the daylight assessment concludes that any overshadowing should only be experienced during winter mornings when the sun sits low.

Lighting

A lighting assessment has been prepared and is submitted to support this application, the results and conclusions are described below.

A lighting strategy has been produced which meets the required standards and developed to support good access to the station and within the station. The strategy includes various design features to limit light spill or glare impact, such as light shields, light dimming when the station is not in use and the use of solid material on the footbridge.

The lighting system for the Tackley footbridge has been shown to have minimised the impact of the lighting on its surrounding environment by design as much as is practicable, whilst maintaining compliance with applicable design standards.

Ecology

A preliminary ecological appraisal which includes a ground level tree assessment and biodiversity net gain assessment (BNG), has been prepared and is submitted to support this application, the results and conclusions are described below.

The report confirms that the site is not subject to any statutory nature conservation designations. Oxford Meadows Special Area of Conservation (SAC) is an internationally important site located within a 15km radius of the proposed bridge. Kirlington Quarry Site of Special Scientific Interest (SSSI), Kirlington Quarry Local Nature Reserve (LNR) and Crecy Hill LNR are nationally important statutory sites located within 2km of the site. The proposal is situated within the Impact Risk Zones of several SSSI's, however not within a zone that triggers consultation with Natural England.

The habitat found on site included lowland mixed deciduous woodland, vacant/derelict land, railway, buildings, developed land (sealed surface) and garden. Within 2km of the site there were four areas of semi-natural ancient woodland and one area of replanted ancient woodland and six different types of Habitat of Principal Importance; the closest of these being an unnamed area of Deciduous Woodland 270m west of the site.

A protected species assessment, preliminary roost assessment and ground level roost assessment concluded that the site is suitable for foraging and commuting bats, birds, common reptile and badgers.

The report recommends measures are implemented to minimise indirect impacts from artificial lighting on bats by following accepted best practices. A pre-construction walkover to search for badgers or their setts within 30m of the work area is also recommended.

Further recommendations are that any vegetation clearance is preceded by a search by a qualified ecologist to see if it contains any dormice or their nests. Site clearance should be carried out between September and February to avoid breeding birds; any site clearance during the breeding season must be inspected by a qualified ecologist within 48 hours of the start of clearance. For the protection of reptile site clearance should be undertaken in their active season (March – October, with a temperature of at least 10oC) to enable any reptile to be displaced into suitable adjacent habitat; this would involve an ecological clerk of works (ECOW) handsearching suitable reptile habitats prior to a two-stage cut of the vegetation.

Details of the mitigation measures are provided in Table 4.1 with recommendations for ecological enhancements set out in paragraphs 4.7 – 4.17. Both mitigation and enhancement measures can be subject to a suitably worded condition requiring a precautionary method of working or construction environment management plan.

BNG – a baseline calculation confirms the site comprises of 1.94 biodiversity units. No further assessment has been undertaken. This is not a requirement of developments with deemed planning consent, although a landscaping plan is included within this application which sets out the planting schedule and includes the addition of trees, hedging, plants and wildflower meadow; as recommended in the PEA report as ecological enhancements.

Summary

The proposal does not require full planning permission as it has deemed consent through Part 18 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. However, the LPA's prior approval of the scheme is required before works can commence. When undertaking prior approval considerations, the LPA must be satisfied that the scheme will not 'injure the amenities of the neighbourhood' or could not be implemented somewhere else on the land – as set out in paragraph A.2 of Part 18.

Network Rail looks forward to receiving written confirmation that West Oxfordshire District Council is satisfied with the proposed works, and that prior approval has been granted.

If you have any queries regarding this application, or wish to discuss any part of this letter, project, or prior approval process, please do not hesitate to contact me.

Yours faithfully



Lisa Bullock (MRTPI)
Senior Town Planner