

**East West Rail Network Phase 2 The Scheme
Railway From London Road Bicester To Station
Road Launton**

23/00312/DISC

Case Officer: Laura Bell

Recommendation: Approve

Applicant: Sam Rosillo

Proposal: Partial discharge of Condition 9d (Archaeological Written Scheme of Investigation) of 18/01430/TWAO

Expiry Date: 3 April 2023

Extension of Time:

APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The Site comprises a sub-rectangular parcel of land of approximately 6 hectares (ha) located approximately 2km north-east of Launton, Oxfordshire. The Site, which consists of three agricultural fields, is currently open pasture with associated hedgerows and trees. In February 2020, the DfT granted planning permission for proposed Network Rail improvements, known as East-West rail.

CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The archaeological works submitted were undertaken to satisfy planning condition 9 attached to the construction of Phase 2 of the Western Section of a new rail link between Oxford and Bicester and Milton Keynes and Bedford (East-West Rail) on behalf of the East-West Rail Alliance.
- 2.2. The condition is phased and split into four parts (a-d). This submission seeks to discharge part d of this condition.

RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

Application: 18/01430/TWAO Permitted 4 February 2020

Proposed Network Rail (East West Rail Bicester to Bedford Improvements)
Order

Application: 20/00466/DISC Permitted 22 June 2020

Discharge of Condition 17 (surface water drainage plan) of 19/00607/F
Compound A1

Application: 20/00591/DISC Permitted 15 April 2020

Discharge of Condition 3 (development stages) of 18/01430/TWAO

Application: 20/00592/DISC Permitted 3 April 2020

Discharge of Condition 9(a) (Heritage Delivery Strategy) of 18/01430/TWAO -
Development Stages A1 and A2

Application: 20/00593/DISC Permitted 23 April 2020

Discharge of condition 10 (Code of Construction Practice) of
18/01430/TWAO – Development Stages A1 and A2

Application: 20/00619/DISC Permitted 23 April 2020

Discharge of Condition 11 (Contaminated land) of 18/01430/TWAO –
Development Stages A1 and A2

Application: 20/00620/DISC Permitted 9 April 2020

Discharge of Condition 12 (Ecological Management Plan) of 18/01430/TWAO

Application: 20/00722/DISC Permitted 3 September 2020

Discharge of Condition 14a (Overarching surface water drainage
assessment) of 18/01430/TWAO

Application: 20/00723/DISC Permitted 16 April 2020

Discharge of Condition 6 (implementation and maintenance of railway
fencing) of 18/01430/TWAO

Application: 20/00727/DISC Permitted 15 July 2020

Discharge of condition 15a (Construction Traffic Management Plan) of
18/01430/TWAO - Development Stages A1 and A2

Application: 20/00728/DISC Permitted 18 June 2020

Discharge of Condition 15b (Public Rights of Way) of 18/01430/TWAO

Application: 20/01152/DISC Permitted 1 June 2020

Partial Discharge of condition 9b (Written Scheme of Investigation) of 18/01430/TWAO relating to Land West of Bicester By-Pass, Mill Meadow

Application: 20/01389/DISC Permitted 15 July 2020

Partial discharge of Condition 9b (Written Scheme of Investigation) of 18/01430/TWAO - Ecological Compensation Area, West of Charbridge Lane

Application: 20/01391/DISC Permitted 15 July 2020

Partial Discharge of Condition 9b (Written Scheme of Investigation) of 18/01430/TWAO - Flood Alleviation Area, East of Bicester Road

Application: 20/01497/DISC Permitted 8 September 2020

Partial Discharge of Condition 13 (Flood Risk Assessment) of 18/01430/TWAO - Langford Brook

Application: 20/01499/DISC Permitted 14 December 2020

Partial Discharge of Condition 13 (Flood Risk Assessment) of 18/01430/TWAO - Launton Brook

Application: 20/01803/DISC Permitted 3 August 2020

Partial Discharge of Condition 9b (written scheme of investigation) of 18/01430/TWAO, Access and Construction Site at Land East of Station Road

Application: 20/01804/DISC Permitted 12 October 2020

Partial Discharge of Condition 14b (surface water drainage) of 18/01430/TWAO (Station Road and Charbridge Lane)

Application: 20/02063/DISC Permitted 6 August 2020

Partial Discharge of Condition 9b (Written Scheme of Investigation) of 18/01430/TWAO, Compound 2A2 and Access at Land East of Station Road

Application: 20/02119/DISC Permitted 7 October 2020

Partial Discharge of condition 13 (Flood Risk Assessment) of 18/01430/TWAO relating to Westbury Court

Application: 20/02787/DISC Permitted 13 October 2020

Partial Discharge of Condition 9 (Archaeology) of 18/01430/TWAO, Compound 2A2 and Access at Land West of Station Road

Application: 20/03102/DISC Permitted 20 April 2021

Discharge of condition 7 (a)(b)(i) (landscaping proposals at Bridge 36AA Charbridge Lane) of 18/01430/TWAO

Application: 20/03358/DISC Permitted 18 January 2021

Partial Discharge of Condition 12b (Biodiversity Strategy) of 18/01430/TWAO, Compound 2A2 and Access at Land West of Station Road

Application: 20/03365/DISC Permitted 13 May 2021

Discharge of condition 7 (a)(b)(ii) (landscaping proposals at Bridge 34A Station Road) of 18/01430/TWAO

RESPONSE TO PUBLICITY

4.1 **N/A**

RESPONSE TO CONSULTATION

5.1. OCC Archaeology - The submitted document is the Post-Excavation Assessment (PXA) for the archaeological Strip Map and Sample investigation at Compound 2A2 and Access at Land East of Station Road. Condition 9d can be partially discharged, however, the PXA for Compound 2A1, CFSA A1, Mill Meadow, Charbridge Allotments and Tythe Barn will also need to be submitted for the full discharge.

APPRAISAL

6.1. Condition 9 of the Order states:

9. Archaeology

(a) No development is to commence in respect of any individual stage until the Heritage Delivery Strategy document has been produced and approved in writing by the relevant local planning authority related to that individual stage. This document must detail evaluation and mitigation measures for heritage assets including buried

archaeology. These measures must include geophysical surveys, trial trenching and excavation and a programme of works.

(b) Where archaeological evaluation is planned, no development, unless otherwise agreed in writing beforehand by the local planning authority, is to take place until a location specific Written Scheme of Investigation (“WSI”) has been submitted to and approved in writing by the relevant local planning authority.

(c) Where archaeological remains of national importance are found, no development at that location is to take place until an appropriate methodology for their preservation in situ, where reasonably practical, has been submitted to and approved in writing by the relevant local planning authority. The methodology must be implemented as approved.

(d) Where archaeological remains are recorded by evaluation and are not of sufficient importance to warrant preservation in situ but are worthy of recording, the development at the relevant location must be carried out in accordance with a WSI, that includes details of timings, provision for post excavation analysis and the publication of a report, which has been submitted to and approved in writing by the relevant local planning authority.

Reason: To ensure adequate protection and recording of historic features and archaeological remains.

6.2. The County Archaeologist has confirmed that the condition may be partially discharged insofar as it relates to compound 2A2 and access at land east of Station Road, but the post excavation assessment for compound 2A1, CFSA A1, Mill Meadow, Charbridge Allotments and Tythe Barn will need to be formally submitted in order to fully discharge the requirements of this part of the condition.

6.3. The original application was EIA development. This application is not a ‘subsequent application’ as it is not a pre-commencement requirement. The ES accompanying the original application is still considered adequate to consider the content of this submission.

6.4. As such, condition 9(d) may be partially discharged.

1. RECOMMENDATION

That Planning Condition 9(d) of THE NETWORK RAIL (EAST WEST RAIL BICESTER TO BEDFORD IMPROVEMENTS) ORDER 2020 be partially discharged based upon the following:

Condition 9(d)

Partial discharge of condition 9 (d) in accordance with the Post Excavation Assessment by EWR Alliance dated January 2022, revision P03 relating to development stage 2A2: Compound 2A2 and Access at Land East of Station Road, Oxfordshire, document ref: 133735-EWR-REP-EEN-000581.

Case Officer: Laura Bell

DATE: 6 March 2023

Checked By: Caroline Ford

DATE: 10 March 2023
