

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

23/01055/DISC

Case Officer: Laura Bell

Recommendation: Approve

Applicant: EWR Alliance

Proposal: Discharge of Condition 9d (Archaeological Written scheme of investigation) of 18/01430/TWAO (Station Road and Charbridge Lane)

Expiry Date: 15 June 2023

Extension of Time: N/A

1. 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.

2. 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). In April 2023, consent was given to partially discharge part d (23/00312/DISC refers). This submission seeks to discharge the remaining element of part d of this condition for stages 2A1 and 2A2.

3. RELEVANT PLANNING HISTORY

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

Application: 23/00312/DISC Permitted 10 March 2023

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

RESPONSE TO PUBLICITY

4.1 **N/A**

RESPONSE TO CONSULTATION

5.1. OCC Archaeology – No objection. The applicant has submitted the reports on the watching briefs undertaken at Development Stages 2A1 and 2A2. These reports are acceptable and condition 9d can be discharged.

4. 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. As noted above, this is the final element of part d of the condition, relating to stages 2A1 and 2A2. The County Archaeologist has confirmed that the condition may be fully discharged, given the receipt of satisfactory reports covering the remaining development stages.

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 fully discharged.

5. RECOMMENDATION

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

Condition 9(d)

Discharge of condition 9 (d) in accordance with the Development Stage 2A1: Ecological Compensation Site A1 at Land West of Charbridge Lane, Oxfordshire Archaeological Watching Brief Report by EWR Alliance dated June 2022 (rev C01)

and Development Stage 2A2: 2A0359/8.1/FB, 2A0162/8.1/FB Work Access and Construction at Land East of Station Road, Oxfordshire Archaeological Watching Brief Report by EWR Alliance dated May 2021 (rev P01).

Case Officer: Laura Bell

DATE: 22 May 2023

Checked By: Caroline Ford

DATE: 25/05/2023
