

Lynne Baldwin

From: Grace Lewis <Grace.Lewis@networkrail.co.uk>
Sent: 01 September 2023 16:25
To: Planning
Subject: 23/02098/OUT - Begbroke Science Park, Begbroke Hill, Begbroke, OX5 1PF



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My Ref: P/TP23/368
Your Ref: 23/02098/OUT

Date: 1 September 2023

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

APPLICATION NO: 23/02098/OUT

PROPOSAL: Outline application, with all matters reserved, for a multi-phased (severable), comprehensive residential-led mixed use development comprising: Up to 215,000 square metres gross external area of residential floorspace (or c.1,800 homes which depending on the housing mix could result in a higher or lower number of housing units) within Use Class C3/C4 and large houses of multiple occupation (Sui Generis); Supporting social infrastructure including secondary school/primary school(s) (Use Class F1); health, indoor sport and recreation, emergency and nursery facilities (Class E(d)-(f)). Supporting retail, leisure and community uses, including retail (Class E(a)), cafes and restaurants (Class E(b)), commercial and professional services (Class E(c)), a hotel (Use Class C1), local community uses (Class F2), and other local centre uses within a Sui Generis use including public houses, bars and drinking establishments (including with expanded food provision), hot food takeaways, venues for live music performance, theatre, and cinema. Up to 155,000 net additional square metres (gross external area) of flexible employment uses including research and development, office and workspace and associated uses (Use E(g)), industrial (Use Class B2) and storage (Use Class B8) in connection with the expansion of Begbroke Science Park; Highway works, including new vehicular, cyclist and pedestrian roads and paths, improvements to the existing Sandy Lane and Begbroke Hill road, a bridge over the Oxford Canal, safeguarded land for a rail halt, and car and cycle parking with associated electric vehicle charging infrastructure; Landscape and public realm, including areas for sustainable urban drainage systems, allotments, biodiversity areas, outdoor play and sports facilities (Use Class F2(c)); Utility, energy, water, and waste water facilities and infrastructure; together with enabling, site clearance, demolition and associated works, including temporary meanwhile uses. The Proposed Development affects the setting of a listed building and includes potential alterations to public rights of way. The application is accompanied by an Environmental Statement

LOCATION: Begbroke Science Park, Begbroke Hill, Begbroke, OX5 1PF

Dear Cherwell District Council,

Thank you for your email dated **7 August 2023** together with the opportunity to comment on this proposal.

As part of a joint strategy to transform the railway across Oxfordshire, Network Rail is progressing a project to close both Sandy Lane Level Crossing and Yarnton Lane Level Crossing. This project is still in the early stages and we are yet to obtain the consents and land requirements to undertake this scheme, as such the comments contained within this letter are based on the current situation at both level crossings. Should the situation change these comments can be updated.

Having reviewed the documentation, Network Rail **objects** to the current application based on the impact it will have to Sandy Lane, Yarnton Lane and Roundham Lock level crossings.

We are committed to reducing risks to passengers, workforce and members of the public wherever possible. Level crossings represent a significant risk on the railway, often dependent on humans performing reliably and behaving responsibly and Network Rail therefore continually seek for solutions that eliminate or reduce this risk.

As such, level crossings can be impacted in a variety of ways by planning proposals:

- By a proposal being directly next to a level crossing;
- By the cumulative effect of development added over time;
- By the type of crossing involved;
- By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing;
- By developments that might impede pedestrian's ability to hear approaching trains;
- By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs;
- By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing; and
- By any development or enhancement of the public rights of way.

Residential development has the greatest potential to change the character of use of a level crossing, both from individual development proposals, and through cumulative impact over time. For development that increases Level Crossing risk, Network Rail looks to the developer to mitigate the potential impacts.

The application submitted is supported by an Environmental Statement. Chapter 9 looks at Transport and Access.

Section 9.3 of the document looks at the Assessment Methodology and consultation response summary during the pre-application meetings. It has been acknowledged that OUD are working on an alternative design for a bridge to replace the Sandy Lane level crossing, however, the document makes no reference to Network Rail's Minimum Viable Product (MVP) bridge as Network Rail's preferred option. In parallel, Network Rail have been in positive dialogue with Oxford University considering an enhanced Northern bridge, aligned to Sandy Lane level crossing. These negotiations are ongoing and commercially sensitive and until agreed Network Rail has an obligation to proceed with the TWAO to deliver our scheme which will unlock benefits for the wider Oxfordshire network.

The pre-application consultation incorrectly stated that both Sandy and Yarnton Lane level crossings were closed. Paragraph 9.4.4. of the ES now correctly states that both Sandy Lane and Yarnton Lane LCs are open to vehicles.

Paragraph 9.3.25 of chapter 9 states that Sandy Lane closure is expected once development comes forward at PR8. This fails to address the need to close the level crossings prior to occupation of any new development coming forward at this location with it being stated in Para 9.6.3 that closure is expected to be implemented by Network Rail prior to peak construction period.

At present, Network Rail are yet to have consent to close the crossings and are working on submitting a Transport Works Act Order (TWAO) to facilitate the closure of the crossings aligned with our Minimum Viable Product (MVP) bridge. We would also note that the design of the bridge has not yet been finalised. Whilst we currently have funding in place for the MVP bridges at Sandy Lane and Yarnnton Lane, Network Rail do not yet have consent to deliver the scheme. Should consent not be granted to Network Rail, mitigation for the hereby proposed development would be required, in full, by the developer.

Further to the closure of Sandy Lane and Yarnnton Lane level crossings, Roundham Lock level crossing will also be affected by the works, having been identified in the submission as a promoted route. In light of this we are asking OUD for their projected traffic over the crossing as a result of their promotion of the route. The proposed development will cause an increase in foot/cycle/bridle traffic over an already high risk crossing. It is therefore essential that appropriate mitigation is proposed and implemented to offset the additional risk caused by the proposed development.

In light of the above, Network Rail objects to the above application whilst continuing to work positively and proactively with Oxford University on a bridge solution and appropriate mitigation at Roundham lock.

Yours Sincerely,

Grace Lewis

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