

TRANSPORT AND WORKS ACT 1992: PROPOSED NETWORK RAIL (EAST WEST RAIL BICESTER TO BEDFORD IMPROVEMENTS) ORDER

TOWN AND COUNTRY PLANNING ACT 1990: REQUEST FOR DEEMED PLANNING PERMISSION

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990: APPLICATIONS FOR LISTED BUILDING CONSENT

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

STATEMENT OF MATTERS

This statement relates to the public inquiry to be held into the applications made by Network Rail Infrastructure Limited (“NR”) for:

- (i) the above Order under the Transport and Works Act 1992 (“TWA”); and
- (ii) a direction as to deemed planning permission for the development for which provision is included in the above Order.

This statement sets out in accordance with rule 7(6) of the Transport and Works (Inquiries Procedure) Rules 2004 the matters about which the Secretary of State for Transport particularly wishes to be informed for the purposes of his consideration of these applications. The matters are as follows:

- 1. The aims of, and the need for, the proposed upgrade of the partially disused Bicester to Bletchley to Bedford and Aylesbury to Claydon Junction routes, together with the construction of a new station at Winslow, platforms at Bletchley and Aylesbury Vale Parkway; and platform extensions at Woburn Sands and Ridgmont Stations, known as the East West Rail Western Section Phase 2 (EWR2) (“the project”).**
- 2. The main alternatives considered by NR and the reasons for choosing the proposals comprised in this project.**
- 3. The justification for the particular proposals in the draft TWA Order, including the anticipated transportation, environmental and socio-economic benefits of the project.**
- 4. The extent to which proposals in the TWA Order are consistent with the National Planning Policy Framework, transport policies, local planning and environmental policies.**
- 5. The likely impact of the exercise of the powers in the proposed TWA Order on land owners, tenants and statutory undertakers, including any adverse impact on their ability to carry on their business and undertakings effectively and safely and to comply with any statutory obligations applying to their operations during construction and operation of the scheme. Consideration under this heading should include:**

- a) the impact on roads, including the Strategic Road Network, from increased traffic and construction vehicles;
 - b) the impacts on land use, including the effects on commercial property and the effect on other planned development in the area;
 - c) the impact on Public Rights of Way and access to public amenities; and
 - d) the impact from the cumulative effects of HS2
6. The likely impact of level crossing closures including the impact of closing Woburn Sands School Crossing.
7. The likely environmental impacts of constructing and operating the project.
8. The measures proposed by NR to mitigate any adverse impacts of the project including;
- a) the proposed Code of Construction Practice;
 - b) any measures to avoid, reduce or remedy any major or significant adverse environmental impacts of the project;
 - c) whether, and if so, to what extent, any adverse environmental impact would still remain after the proposed mitigation; and
 - d) any protective provisions proposed for inclusion in the draft TWA Order or other measures to safeguard the operations of statutory undertakers.
9. The adequacy of the Environmental Statement submitted with the application for the TWA Order, together with the further environmental information provided in support of the Order, having regard to the requirements of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006, and whether the statutory procedural requirements have been complied with.
10. Having regard to the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the MHCLG Guidance on the “Compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion” (published on 29 October 2015, updated on 28 February 2018)
- a) whether there is a compelling case in the public interest for conferring on NR powers compulsorily to acquire and use land for the purposes of the project; and
 - b) whether the land and rights in land for which compulsory acquisition powers are sought are required by NR in order to secure satisfactory implementation of the project.
11. NR’s proposals for funding the project.

12. The conditions proposed to be attached to the deemed planning permission for the project, if given, and in particular whether those conditions satisfy the six tests referred to in Paragraph 206 of the National Policy Framework.

13. Whether the statutory procedural requirements have been complied with.

In relation to the proposed works affecting the Listed Buildings and Conservation Areas (“the works”):

14. The extent to which the works are in accordance with the development plan for the area including any ‘saved policies’.

15. The weight that should be attached to the development plan, and any emerging plans.

16. The extent to which the works would accord with the National Planning Policy Framework and in particular the desirability of sustaining or enhancing the character or appearance of the heritage assets and Conservation Areas.

17. If consent for the works is granted, the need for any conditions to ensure they are carried out in a satisfactory manner.

18. Any other relevant matters which may be raised at the inquiry

Notes

It should be noted that whilst the above matters appear to the Secretary of State, from the evidence so far available, to be the principal ones that need to be addressed. This statement does not preclude the inquiry Inspector from hearing evidence on any other matters that he may consider relevant to the consideration of the application. In addition this statement does not pre-determine the order in which issues are to be addressed at the inquiry, nor does it imply any order of importance.

**TWA Orders Unit
Department for Transport
November 2018**

