

Cherwell Local Plan 2011-2031 (Part 1)
Partial Review – Oxford’s Unmet Housing Need
Examination Hearings

STATEMENT OF COMMON GROUND

Between

Cherwell District Council, Network Rail and Oxfordshire County Council

1. Introduction

- 1.1 This Statement of Common Ground (SoCG) has been prepared by Cherwell District Council (CDC), Oxfordshire County Council (OCC) and Network Rail hereafter referred to as “the parties”. It documents those matters agreed and disagreed by the parties with regard to the Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford’s Unmet Housing Need.
- 1.2 This SoCG reflects and confirms the current position agreed by both parties with regard to representations made by Network Rail through the Regulation 19 consultation period for the Partial Review Plan.
- 1.3 This statement is provided without prejudice to other matters of detail that the parties may wish to raise during the examination.
- 1.4 CDC and OCC have also prepared a SoCG which addresses matters other than rail infrastructure.
- 1.5 This SoCG takes account of the Submission Plan with Focused Changes and Minor Modifications (February 2018), the latter being subject to acceptance by the Inspector.

2. Background

- 2.1 Network Rail were consulted at each stage of the preparation of the Plan, and made representations in response to the consultation stages plan’s Proposed Submission Consultation (17 July – 10 October 2017): PR-C-0230

3 Matters on which the parties agree

Duty to Co-operate

- 3.1 CDC has engaged with Network Rail throughout the preparation of the Partial Review Plan and OCC has been party to this engagement. This has included duty to cooperate meetings between the parties on 29/01/2018 and 18/07/2018.
- 3.2 The parties met on 29.01.18 to understand in more detail the nature of the matters raised by Network Rail in their representation. The main matters related to the effect of the Submission Plan’s proposals on existing railway level crossings from potential increased use and Network Rail’s wider strategic aim to increase frequency of rail services.

- 3.3 The parties agree to continue to work positively together, including with other local authorities where relevant on strategic cross boundary issues.

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Level crossings related to LP1 PR sites: PR6a, PR6b, PR3c PR3d

- 3.4 Network Rail confirmed on 29.01.18 that railway crossings highlighted in their representation PR-C-0230 (Colts, Water Eaton 5 and Nesbitts) are no longer an issue as all were extinguished by the Chiltern Railways (Bicester to Oxford Improvements) Order made by the Secretary of State in 2012 under the Transport & Works Act 1992. These improvements delivered the East-West Rail Phase 1 improvements.

Level Crossings related to LP1 PR site PR8

Roundham Level crossing – north east of site PR8

- Provides footpath/bridleway access to the Oxford Canal and to wider footpath network
 - User-operated crossing currently in place and being used by landowner. The Canal & River Trust's has occasional access requirements for canal maintenance. The crossing also has private vehicular gates for authorised users only, alongside the footpath gates.
 - Roundham level crossing does not rely on signals. It has user-worked wicket gates and an automatic miniature stop light system. While it has the benefit of an active warning system, safe operation depends on users complying with the stop lights and not loitering or trespassing on the railway. It is sufficiently robust level crossing in terms of risk to safety when used appropriately.
- 3.5 Policy PR8 proposes the provision of a Local Nature Reserve in 29.2 has of land along the north and north east boundary of the site.
- 3.6 The site's north eastern boundary lies some 300 metres west of Roundham level crossing. A footpath runs east to west across the northern part of site PR8 linking the A44 and Begbroke village to Begbroke Science Park and Kidlington to the east of the Oxford Canal and Roundham level crossing. The footpath meets Begbroke Lane (restricted byway) just outside the site's boundary near Roundham Lock.
- 3.7 The parties agree any potential material increase in the volume or a material change in the character of traffic using a level crossing for recreational purposes is to be

explored through the site's development brief in consultation with Network Rail and Oxfordshire County Council.

Sandy Lane level crossing – within site PR8

- Sandy Lane is a busy but rural road known for peak-hour rat-running with two 90-degree bends linking Yarnton Road and Kidlington to the east with the A44 on the west.
- The level crossing is a highway crossing with automatic half barrier (AHB).
- The level crossing has a history of misuse with recorded incident history of collisions, personal accidents and near misses.

3.8 Network Rail supports the closure of Sandy Lane to highway traffic, and its replacement by a bridge for pedestrian, cycle and wheelchair use and maintaining an access point to the railway for Network Rail.

3.9 Network Rail advises that should funding not be secured from the DfT to close the Sandy Lane level crossing, any potential material increase in the volume or in the character of traffic using the level crossing due to site PR8 proposals would need to be mitigated by the developer through a Section 106 agreement, at the developers cost.

Yarnton (Green) Lane level crossing – south of site PR8

- Single track that stops at the rail line, unmetalled access for farming beyond, public footpath / public right of way
- The level crossing is a highway crossing with automatic half barrier (AHB) and provides access from west of the railway line for agricultural uses, a single residential property and a disused Sewage Treatment Works east of the railway line.

3.10 The level crossing lies to the south of Policy PR8's proposed developable area with no existing Public Rights of Way (PRoW) links to it. No vehicular access is proposed from Yarnton Lane into site PR8. The policy currently proposes retention of agricultural land and provision of informal parkland on Green Lane (eastern section of Yarnton Lane) to the east of the railway line.

- 3.11 The parties agree any potential material increase in the volume or a material change in the character of traffic using the level crossing is to be explored through the site's development brief in consultation with Network Rail and Oxfordshire County Council.
- 3.12 Engagement between CDC, OCC and Network Rail resulted in recommended amendments to Draft Policy PR8 requiring consultation with Network Rail on the development brief for Policy PR8 (focused change FC53) and specific references to level crossings in Draft Policy PR8 Transport Assessment requirement (focused change FC58).
- 3.13 The parties support these focused changes.

Railway halt/station in LP1 PR Draft Policy PR8 (requirement 14)

- 3.14 The parties agree that the Submission Plan does not depend on the provision of a railway halt/station as part of Policy PR8. This is a long-term aspiration put forward by the site promoters. Policy PR8 reserves land within the site's developable area so that future rail travel opportunities are not prevented. Further work on the precise location, type of station, train service envisaged, and exact land requirement is ongoing. This work will inform the Development Brief process and subsequent planning application.

Oxford Corridor Phase 2

- 3.15 Following the submission of the Plan in March 2018, the parties met in July 2018 to discuss Network Rail's Oxford Corridor Phase 2 project. The primary aim of this project is to increase the infrastructure capacity and create additional train paths along the corridor. Works are expected to commence in late 2021. The scheme includes (but is not limited to):
- Additional through platform on the west-side of Oxford station (new platform 5) increasing platform capacity and allowing trains to terminate and turn around in the platform (rather than make unnecessary movements to and from the sidings). Associated new western station entrance and realignment of Roger Dudman Way/Cripley Road junction.
 - Botley Road bridge replacement with additional spans to carry new track, and a longer bridge span overall to allow widening of the highway to create an extra traffic lane and better pedestrian and cycle paths, with associated lowering of the highway to maintain existing headroom.

- East West Rail Phase 2 improvements at Oxford North to improve junction by upgrading crossovers from 25mph to 75mph to facilitate faster clearance of the junction by trains using the East West Rail line to and from Bicester.
 - Closure of three level crossings required to facilitate the capacity improvements, and commissioning of bi-directional signalling, allowing trains to use either of the two tracks in either directions between Tackley and Oxford.
- 3.16 Tackley, Sandy Lane and Yarnton Lane (Green Lane) level crossings fall within the scope of Network Rail's Oxford Corridor Phase 2. Part of the project remit is to ensure that the overall risk on the level crossings along the 'corridor' are reduced going forward, even with more trains running. Network Rail consider that this can be achieved by closing some crossings and improving / upgrading others where appropriate.
- 3.17 The particular circumstances at Yarnton Lane/Sandy Lane/Roundham is further complicated by the close proximity between these crossings making the existing signalling controls very complex and the fact that two of them are automatic half barrier (AHB) crossings, which are particularly high risk, due to a combination of factors. As such the increased number of trains cannot be achieved without closure of these two AHB crossings
- 3.18 Network Rail agrees that, at its current level of use, the level crossing does not prevent their operational plans to increase speed and services on this line. Line speed and capacity improvement can be achieved without changing the Roundham level crossing.
- 3.19 The parties agree the timing of the level crossing closure and the commencement of the third-party development is to be explored through the preparation of the site's development brief alongside timeframes for the delivery of Oxford Corridor Phase 2.
- 3.20 Network Rail confirms that increasing the number of trains through the Oxford rail corridor cannot be achieved without closure of Sandy Lane level crossing.
- 3.21 Network Rail confirms that increasing the number of trains through the Oxford rail corridor cannot be achieved without closure of Yarnton (Green) Lane level crossing.
- 3.22 Network Rail confirmed that Oxford Corridor Phase 2 would fund the closure of and provision of bridges at Sandy Lane and Yarnton Lane level crossings, subject to submission and approval of the full business case to the Department for Transport (DfT) in autumn 2019. Overall scheme funding approval / agreement is anticipated in late 2019, as a high-level statement, and full authority is predicted spring in 2020.

4 Conclusions

5.1 The parties agree that:

- i. Network Rail is satisfied that all matters raised in its representations to the Regulation 19 consultation on the Partial Review of Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Need have now been addressed;**
- ii. Cherwell District Council has complied with the Duty to Co-operate in preparing the submission Partial Review Plan; and**
- iii. The parties will continue to work positively together, including with other local authorities where relevant on strategic cross boundary issues.**

Signed on behalf of Cherwell District Council



Robert Jolley
Assistant Director Planning and Economy
Date: 5/2/19

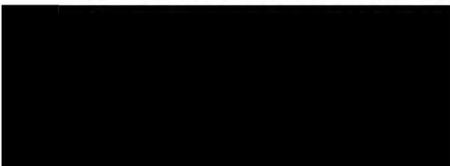
Signed on behalf of Network Rail



Name: Colin Field
Position: Town Planning Manager

Date: 5/2/19

Signed on behalf of Oxfordshire County Council



John Disley
Infrastructure Strategy & Policy Manager
Date: 5/2/19