



Coventry City Council

The Infrastructure Planning Commission
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IPC

06 AUG 2010

REF: _____

City Services and Development
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2 August 2010

Dear Sirs

COVENTRY TO NUNEATON RAIL IMPROVEMENTS PROJECT

Coventry City Council together with Warwickshire County Council and Centro are jointly sponsoring improvements to the existing passenger train service between Coventry and Nuneaton. The project includes two new stations that need planning consent and we are writing to ask for a meeting with you to clarify the means of obtaining consent now that the Planning Act 2008 is in effect.

The Project

1. The Coventry to Nuneaton Rail Improvements Project is a scheme to increase the existing level of train service on the line between Coventry and Nuneaton (currently one train per hour in each direction). The scheme includes constructing a new bay platform at Coventry station, extending the existing platforms at Bedworth station and building two new stations at Coventry Ricoh Arena and Bermuda Park. There are also additional enabling works including minor signalling alterations and some track work.
2. The new stations at Coventry Ricoh Arena and Bermuda Park will consist of platforms either side of the double track railway and basic customer service and security facilities. They will be similar to many other local stations sponsored in recent years by local and transport authorities. The new stations will be built to standard railway designs and will be compliant with all requirements, including disabled access. Neither station site gives rise to environmental or engineering concerns. Drawings are attached that illustrate both stations. Construction costs are in the order of £2.5m (Bermuda Park) and £4m (Coventry Ricoh Arena), further confirming the relatively small scale of the works.
3. A station at Bermuda Park is proposed in Warwickshire County Council's Transport Plan 2006.

Consent

4. In general, small stations on existing rail routes, as proposed for Coventry Ricoh Arena and Bermuda Park, have obtained planning consent by means of an application to the local planning authority under the Town and Country Planning Act. Such stations have usually been included in Local Transport Plans and been the subject of consultation and approval in principle, which is the case here. Small stations are almost always only proposed where the impacts are small and manageable, otherwise the costs would be prohibitive, and that is also the case here.
5. Certain railway works can be carried out as Permitted Development under parts 11 and 17 of the General Permitted Development Order. The planned works at Coventry and Bedworth stations are developments on operational railway land and are permitted by Part 17. In the case of the two new stations, Part 11 does not apply as there are no local or private acts or orders and Part 17 specifically excludes the construction of railway stations from being permitted.

Planning Act 2008

6. Prior to the Planning Act 2008 coming in to effect, consent would have been sought for Coventry Ricoh Arena and Bermuda Park stations by submitting planning applications to Coventry City Council and Warwickshire County Council respectively. The applications would be dealt with under the Town and Country Planning Act with determination in between 8-13 weeks.
7. However, railway schemes are within the scope of the Planning Act 2008 and are dealt with in Section 25 of the Act, which states that a railway scheme falls under the Planning Act 2008 if it is not Permitted Development and if it involves construction or alteration of a railway and if the railway is wholly in England. The Act does not define the meaning of construction or alteration of a railway nor does the Act set out any thresholds for the size of a scheme to fall within the Act. This puts railway schemes in a different situation to all other project covered by the Act; quantitative thresholds set out in Sections 15-24 and Sections 26-30 must be met before the Act applies.
8. The context of the White Paper that preceded the Act, the Act itself and the types and scale of projects covered, and available guidance all point to the Act only applying to schemes of national significance above a certain size. Coventry Ricoh Arena and Bermuda Park stations are locally important but not nationally significant and the scale of both is well below the sorts of thresholds set for other projects. The nearest comparable type of project within the Act is a rail freight interchange (covered by S26) and the scale of neither station comes near the threshold in S26.

Summary

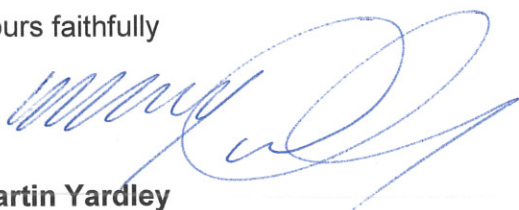
9. We contend that it is not the purpose or intent of the Planning Act 2008 to cover local railway stations such as Coventry Ricoh Arena and Bermuda Park and therefore it is not be appropriate or necessary to apply for planning consent for these two stations to the Infrastructure Planning Commission. Instead applications for consent should be prepared

and submitted in the normal way to the appropriate local planning authority for determination through the usual process.

10. However, before we proceed with preparing planning applications, we would like to meet with you to discuss both schemes in more detail, and to confirm our view that seek consent by means of Town and Country Planning Act applications.

We look forward to hearing from you.

Yours faithfully



Martin Yardley
Director of City Services and Development

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BERMUDA PARK STATION SIGNALLING SCHEME SKETCH SG. SKE/0001
BERMUDA PARK STATION PROPOSED GENERAL ARRANGEMENT B1294300-BRP-G3/CV.DRG/0001
BERMUDA PARK STATION PERMANENT WAY GENERAL ARRANGEMENT DRAWING B1294300-BRP-G3/TR.DRG/0001

COVENTRY RICOH ARENA STATION SIGNALLING SCHEME SKETCH SG.SKE/0001
COVENTRY RICOH ARENA STATION PROPOSED GENERAL ARRANGEMENT B1294300-RAS-G3/CV.DRG/0001
COVENTRY RICOH ARENA STATION PERMANENT WAY GENERAL ARRANGEMENT DRAWING B1294300-RAS-G3/TR.DRG/0001