

From: TownPlanning LNW <TownPlanningLNW@networkrail.co.uk>
Sent: 12 October 2017 11:48
To: PlanningPolicyConsultation
Subject: Cherwell - Adderbury Neighbourhood Development Plan 2014-2031

**FAO Planning Policy Team
Cherwell - Adderbury Neighbourhood Development Plan 2014-2031**

Network Rail owns, maintains, renews and enhances the railway infrastructure in England, Wales and Scotland.

Network Rail would comment as follows:

I am sure you are aware that Network Rail is a statutory consultee for:

- (a) Any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and
- (b) For any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).

Planning applications and planning policy notifications should be issued to the following email address only:

TownPlanningLNW@networkrail.co.uk

Network Rail has the following comments to make.

(1)

Consideration within Transport Assessments should be given to increased footfall or need for car parking at Kings Sutton Railway Station as a result of proposals for new dwellings, employment areas within the neighbourhood plan area. Location of the proposal, accessibility and density of the development, trip generation data should be considered in relation to the railway stations within proposals. Where proposals are likely to increase footfall and the need for car parking at railway stations the council/neighbourhood authority should consider developer contributions (either via CIL, S106 or unilateral undertaking) to provide funding for enhancements such as car parking at the station as a result of increased numbers of customers.

(2)

Close to and within the neighbourhood plan area are several level crossings.

Kings Sutton FP (449150 / 236741)
Manor Farm No.1 (447618 / 239407)
Cherrys No.4 (448379 / 238545)

Development proposals should be accompanied by a TS/TA which includes consideration of the impact of proposals upon level crossing(s) with mitigation implemented as required. Network Rail would encourage the council to adopt specific policy wording to ensure that

- a) The impact of proposed new development (including cumulative impact) on the risk at existing level crossings is assessed by the developer(s), and
- b) suitable mitigation incorporated within the development proposals and fully funded by the developer(s). TS/TAs should be undertaken in conjunction with the local highways authority with advice from Network Rail.

There is a duty to consult Network Rail as follows on the matter of level crossings:

*The Town and Country Planning (Development Management Procedure) (England) Order 2015
SCHEDULE 4 Consultations before the grant of permission*

Development which is likely to result in a material increase in the volume or material change in the character of traffic using a level crossing over a railway.

The operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport.

The neighbourhood plan team are advised that '*traffic*' over a level crossing can be vehicular, pedestrian, cyclists or horse-riders and that proposals do not have to be adjacent to a level crossing to potentially impact the crossing.

Councils are urged to take the view that 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 developments added over time in the vicinity of a level crossing
- By the type of level crossing involved e.g. where pedestrians only are allowed to use the level crossing, but a proposal involves allowing cyclists to use the route
- By the construction of large developments (commercial and residential) where road access to and from the site includes a level crossing or the level / type of use of a level crossing increases as a result of diverted traffic or of a new highway
- By developments that might impede pedestrians ability to hear approaching trains at a level crossing, e.g. new airports or new runways / highways / roads
- 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 the level crossing
- By any proposal that may cause blocking back across the level crossing
- By any proposal which may see a level crossing impacted by the introduction of cycling or walking routes

Regards

[REDACTED]
Network Rail
Floor 1
Square One
4 Travis Street
Manchester, M1 2NY

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Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

