

Charlotte Bogg

From: Cunningham Frances
Sent: 30 November 2015 14:36
To: Charlotte Bogg
Subject: The Ryedale Plan

Dear Sir/Madam

Thank you for consulting Network Rail on The Ryedale Plan Local Plan sites document.

LEVEL CROSSINGS

The safety, reliability and efficiency of the rail infrastructure are of paramount importance to Network Rail and we cannot agree to any proposals which jeopardise these requirements. Level crossings are safe if used correctly. Most level crossing risk has resulted from user error or abuse. We are committed to reducing the risk at level crossings where reasonably practicable and will seek to close and/or divert crossings or enhance their safety through the provision of improved safety features or equipment. We will work with local councils to take a holistic approach to reducing level crossing risk and will encourage planning authorities to co-operate in securing level crossing closures or improvements in connection with new developments. Only in exceptional circumstances will we permit new crossings to be introduced onto the network.

We would encourage the inclusion of a policy statement which makes it clear to developers that no new crossings will be permitted, that proposals which increase the use of level crossings will generally be resisted and where development would prejudice the safe use of a level crossing an alternative bridge crossing will require to be provided at the developers expense.

LDP site assessments must take cognisance of the impact of development proposals on level crossings. Transport assessment and developer contributions policy and supplementary guidance must ensure infrastructure risks are identified and mitigation secured.

A number of the sites identified in the current local plan are close to Level Crossings and we would expect as part of any Planning submissions that a full risk assessment of the impacts of the development upon the nearby level crossings is completed and any mitigation required is funded as part of the development. This is particularly important when reviewing and assessing the sites in Norton and Malton.

As part of the our response to the Draft local plan in 2014 Network Rail asked for the policy INF2 to include the following :

1: The council has a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is 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 or impact upon rail infrastructure.

2: Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing impact and mitigation measures including assessment of closure; and

3: The developer should assess the impacts any development could have upon the railway infrastructure.

We would ask that the council looks to include the above policy in the Local Plan.

DEVELOPER CONTRIBUTIONS

Where growth areas or significant housing allocations are identified close to existing rail infrastructure it is essential that the potential impacts of this are assessed. Many stations and routes are already operating

close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, cycle facilities, improved access arrangements, ticketing facilities or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It would be appropriate to require contributions towards rail infrastructure where they are directly required as a result of the proposed development and where the acceptability of the development depends on access to the rail network.

Network Rail therefore requires new developers to fund any enhancements to our infrastructure required as a direct result of new development and any policy or guidance should specifically name 'rail infrastructure'.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore, in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impacts on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we therefore request that any Policy or guidance on Developer Contributions in the LDP or any Supplementary Planning Guidance includes provision for rail. The policy and/or supporting Guidance should include the following:

- A requirement for developer contributions to deliver improvements to the rail network where appropriate.
- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.
- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

Please let me know if you require clarification on the above representations

Yours Faithfully
Frances Cunningham
Town Planner LNE & EM.



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