

Jacobs, Claire

From: [REDACTED]@networkrail.co.uk>
Sent: 29 December 2015 15:22
To: Howells, Mathew
Subject: FW: Herefordshire Local Transport Plan 2016-2030

Dear Mr Howell,

Further to my email earlier today, I would like to formally request that the time for responding to the draft of the above Local Transport Plan is extended to 29/01/2015 (i.e. as set out on the council's website). This will hopefully provide sufficient time to prepare a full response to the rail related policies/proposals in the plan particularly Policy LTP PT7 - Rail Improvements and the proposals for Hereford, Leominster and Ledbury Stations. I look forward to receiving your response to this request.

In the meantime, set out below are comments of a more general nature that we ask are taken into account in the preparation of this local transport plan where relevant:

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure, any proposed changes require careful assessment to ensure they are both safe and viable.

Network Rail is required to monitor new policies and development allocations that may have an impact on rail services and/or safety of existing infrastructure. For instance the safety of level crossings is a major concern which can be impacted in a variety of ways by planning proposals. In addition, where proposed policies and allocations require rail improvements, the funding of these improvements also require careful consideration. These two issues are dealt with in more detail below.

Level/Pedestrian Crossing Safety

Development proposals' affecting the safety of level/pedestrian crossings is an extremely important consideration for emerging planning policy and related development allocations to address. The impact from future development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.

As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services. Therefore the location of proposed new development is an important consideration for Network Rail and should form part of any initial appraisal of future development sites.

Please note that the Council have 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:

- *Schedule 4 (j) of the Town & Country Planning (Development Management Procedure) Order 2015 requires that... "Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public or private road) the Local Planning Authority prior to granting approval must consult: The operator of the network which includes or consists of the railway in question and the Secretary of State for Transport".*

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 such impact: and the developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.

Funding of Rail Improvement

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 is therefore appropriate to require developer contributions to fund such improvements.

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 where a Transport Assessment is submitted in support of a site allocation or planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail.

We therefore ask that the council should consider the following:

- *A requirement for development 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.*

Kind Regards

From: [REDACTED]
Sent: 29 December 2015 11:28
To: 'mathew.howells@herefordshire.gov.uk'
Subject: Herefordshire Local Transport Plan 2016-2030

FAO: Mathew Howells – Senior Transport Planning Officer

Dear Mr Howells,

I refer to your letter dated 03/12/2015 requesting Network's comment on the above draft Local Transport Plan. I am in the process of preparing a response but would appreciate your clarification on the deadline for returning comments as your letter quotes 31/12/2015 but the information held on your web-page for this consultation quotes a later deadline of 29/01/2016. I would therefore appreciate your confirmation of the correct date for returning comments.

I would add that we did not receive your letter until 07/12/2015 and therefore returning comments by 31/12/2015 will be difficult especially given that this consultation period spans the festive break. Also, as the Local Plan contains

specific rail related proposal (i.e. Policy LTP PT7) we need to consult over departments within NR therefore the later deadline of the 29/01/2016 would provide a far more realistic timeframe for us to prepare an appropriate response.

I look forward to hearing from you on this matter.



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