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2 August 2017

Planning Policy Manager  
Tendring District Council  
Council Offices  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ

Dear Sir / Madam,

**Network Rail Response - Tendring District Council Publication Draft Local Plan Consultation**

I write in order to provide Network Rail's consultation response in relation to the Tendring District Council Publication Draft Local Plan consultation.

As you will be aware Network Rail submitted a consultation response on the 8<sup>th</sup> September 2016 in relation to the Tendring District Council 'Local Plan-Preferred Options Consultation Document.'

This latest response will provide feedback in regards to the transport related policies detailed within the policy document, in particular Policy SAMU3 and Policy SAMU5.

**General railway related paragraphs**

Paragraph 8.1.5 states that the '*Council will support and encourage measures which will make rail use a more attractive and sustainable alternative to the use of private cars for both local journeys and longer commutes and to the use of HGVs for freight transportation.*'

The council's support for rail transport is welcomed by Network Rail, however the council should strongly consider the industry rail strategy / Route Study as part of their local plan process. This will help to ensure that local planning policy relating to the railway is in line with Network Rail's strategic plans. Network Rail would be happy to discuss this in more detail with the council.

In relation to paragraph 8.2.2, any increase in services may require infrastructure investment, subject to development, funding and a Value for Money case.

In relation to paragraph 8.2.5, opportunities to improve railway crossings are welcomed when safety improvements are prioritised. Network Rail would need to be included in any level crossing planning processes and potential developer contributions.

### **Site Policies and Level Crossings**

The safety of the operational railway and of those crossing it is of the highest importance to Network Rail and railway crossings are of a particular interest in relation to safety.

Network Rail would like to work with the council and developers in order to ensure that proposed developments do not have adverse impact on the safety of level crossings. Early engagement in relation to proposed development and their potential impact on level crossings should be sought.

### **Policy SAMU3 - DEVELOPMENT AT OAKWOOD PARK, CLACTON**

The Mixed-Use Allocation detailed within Policy SAMU3 has the potential to impact on the Giles User Worked Crossing (UWC) and Giles Footpath Crossing which are situated on the railway line which runs to the east of the site.

Any change of use and ownership of the existing farm land would remove the current landowner's requirement to cross the railway line at this location. As a result the Giles UWC could be removed and closed.

Network Rail recognises that Policy SAMU3 states that proposals for the site will need to provide; *'(k) where necessary, enhancements to public transport, cycle, pedestrian, and bridleway infrastructure;'*

Network Rail is concerned by the potential impact that Mixed Use development at the site would have on the Giles Footpath Crossing. The proposed application and associated Transport Assessment will need to consider and assess the potential impact of any proposed development on the usage of the footpath crossing. Early engagement in relation to the crossing and possible mitigation measures should be sought.

## **Policy SAMU5 - DEVELOPMENT SOUTH OF THORPE ROAD, WEELEY**

The Mixed-Use Allocation detailed within Policy SAMU5 has the potential to impact on Church Lane Footpath Level Crossing which is situated adjacent to the south of the site.

SAMU5 states that proposals for the site will need to provide; *'(h). provision of a pedestrian/cycle bridge over the railway line, as a replacement for the existing level crossing prior to the occupation of the one-hundredth dwelling;'*

It is positive that the council recognises the potential impact that the redevelopment of the site would have on safety at Church Lane Footpath Level Crossing and that the closure of the crossing, through the construction of a new pedestrian/cycle bridge over the railway line, will be required. However, the council need to be aware of the following points;

- In terms of the proposed threshold for delivery of the bridge, this will need to be agreed with Network Rail's Level Crossing team. Network Rail would like assurances that the occupation of the development would be phased in a way that would not lead to an unacceptable increase of safety risk at the crossing. This will help to protect the safety of individuals crossing the railway line. It is highly recommended that discussions in relation to this take place between Network Rail and the council as soon as possible.
- You will appreciate that Network Rail is a strictly regulated organisation and therefore specific guidelines in regards to any proposed bridge design will need to be adhered to. The applicant will need to contact Network Rail in order to discuss the proposed bridge design and agree the associated property rights / terms.
- The impact of the proposed Mixed Use development on the usage of Weeley Station will also need to be discussed with Network Rail, Station improvements may be required.

## **Policy SAE1 - CARLESS EXTENSION, HARWICH**

Paragraph 9.9.2 states that *'Owing to the varied nature of land ownership in the proposed area between Carless Refinery and National Rail, it will be necessary to engage with all parties in order to deliver the most suitable proposal.'*

For legal note, National Rail and Network Rail are separate entities; National Rail being a brand owned by ATOC and Rail Delivery Group.

## **Developments adjacent to operational railway land and infrastructure**

A number of the proposed development sites presented within the Tendring District Council Publication Draft Local Plan are located adjacent to operational railway land and infrastructure. Tendring District Council and potential developers should be aware of and consider Network Rail's standard guidelines and requirements when developing sites located adjacent to or in close proximity to Network Rail's land, assets and operational railway infrastructure. For more information please visit [www.networkrail.co.uk/aspx/1538.aspx](http://www.networkrail.co.uk/aspx/1538.aspx) or email [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk).

Please let me know if you would like more specific information on these standard guidelines and requirements.

If you have any questions or require more information on any aspect of this consultation response please do not hesitate to contact me.

I would be grateful if continued discussion could be arranged between Network Rail and Tendring District Council in order to discuss the issues and concerns raised within this consultation response.

Yours sincerely

Elliot Stamp

**Town Planner**