



Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

My Ref: P/TP21/

Your Ref:

Date: 2 June 2021

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

APPLICATION NO:

PROPOSAL: Pre-submission Draft Stroud District Local Plan

Dear Sir/Madam,

Thank you for consulting us on the pre-submission draft Stroud District Local Plan. This email forms for the basis of our response.

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.

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

Level Crossings

Any development of land which would result in a material increase or significant change in the character of traffic using rail crossings should be refused unless, in consultation with Network Rail, it can either be demonstrated that they safety will not be compromised, or where safety is compromised serious mitigation measures would be incorporated to prevent any increased safety risk as a requirement of any permission.

There are a number of level crossings within the plan area that will be affected:

- 1. Stagholt Level Crossing – Footpath Crossing**
- 2. Stonehouse 2 Level Crossing – Footpath Crossing**
- 3. Little Australia Level Crossing – Footpath Crossing**
- 4. Old Ends Level Crossing – Vehicular crossing, Manually controlled barriers with closed circuit TV**
- 5. Dursley 28 Level Crossing – Footpath Crossing**
- 6. Slimbridge 46 Level Crossing – Footpath Crossing**
- 7. Oldminster Level Crossing – footpath crossing**

There does not seem to be any information within the plan which informs that **an assessment and provision for any required mitigation** will be needed for the level crossings identified to you.

Network Rail has a strong policy to guide and improve its management of level crossings, which aims to; reduce risk at level crossings, reduce the number and types of level crossings, ensure level crossings are fit for purpose, ensure Network Rail works with users / stakeholders and supports enforcement initiatives. Without significant consultation with Network Rail and if proved as required, approved mitigation measures, Network Rail would be extremely concerned if any future development impacts on the safety and operation of any of the level crossings listed above. The safety of the operational railway and of those crossing it is of the highest importance to Network Rail.

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 development added over time
- By the type of crossing involved
- By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing
- By developments that might impede pedestrians ability to hear approaching trains
- 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 a level crossing
- By any development or enhancement of the public rights of way

It is Network Rail's and indeed the Office of Rail Regulation's (ORR) policy to reduce risk at level crossings not to increase risk as could be the case with an increase in usage at the four level crossings in question. The Office of Rail Regulators, in their policy, hold Network Rail accountable under the Management of Health and Safety at Work Regulations 1999, and that risk

control should, where practicable, be achieved through the elimination of level crossings in favour of bridges or diversions.

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 rail 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 “...*development which 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*” (public footpath, public or private road) the Planning Authority’s Highway Engineer must submit details to both the Secretary of State for Transport and Network Rail for separate approval.

Delivery Policy EI14: Provision and Protection of rail stations and halts

It should be noted that whilst Network Rail is happy to work with the Council and developer to progress this, until the various feasibility studies have taken place, including how this would fit within the timetable we cannot guarantee this would be plausible. Should the provision of this service and station be feasible this would be subject to third party funding. This would also apply to other proposed stations along the Bristol-Birmingham main line.

We would appreciate the Parish Council providing Network Rail with an opportunity to comment on any future planning policy documents. We look forward to continuing to work with you to maintain consistency between local and rail network planning strategy.

We trust these comments will be considered in your preparation of the forthcoming Plan documents.

Grace Lewis

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