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**From:** Matthew Dickins  
**Sent:** 19 January 2021 15:24  
**To:**  
**Subject:** FW: A new local plan for East Devon – Issues and Options report consultation

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**From:** Lisa Bullock  
**Sent:** 19 January 2021 15:19  
**To:** Matthew Dickins <MDickins@eastdevon.gov.uk>  
**Subject:** A new local plan for East Devon – Issues and Options report consultation

Dear Matt

Thank you for consulting us on the A new local plan for East Devon – Issues and Options report consultation. This email forms the basis of our response.

Network Rail is a statutory consultee for any planning applications where 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 (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order); in addition you are required to consult the Office of Rail and Road (ORR). Any development which would result in a material increase or significant change in the character of traffic using a rail crossing should be refused unless, in consultation with Network Rail, it can either be demonstrated that the 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.

Chapter 3 – Designing for health and well being & Chapter 11 – Promoting sustainable transport

We welcome good design to improve the health and well being of visitors and residents, the provision of quality green space and community facilities are supported, alongside the promotion of sustainable transport. The plan looks to encourage physical exercise with the provision of safe and pleasant cycling and walking routes between services and facilities and encourage walking and cycling by promoting high quality walking and cycling networks. Encouraging traffic whether it is vehicle, cycle or pedestrian over any level crossing on the railway network should be fully assessed. This information should be provided to Network Rail who can validate any assessment against any level crossing/railway risk.

Chapter 5 – Meeting housing needs, Chapter 6 – Supporting jobs and the economy & Chapter 7 – Promoting vibrant town centres

We understand the need to provide additional housing and business space in the area; any allocated sites should consider any impact on any nearby level crossings. Increasing footfall into town centres such as Cranbrook town centre, which has access to the town centre via a railway level crossing should assess and such level crossing to ascertain the impact the new policy will have on any such level crossing.

Chapter 12 – Infrastructure and facilities

The plan looks to increase train services, it essential that any future development does not impact on the safety of the railway users and neighbours. In regard to Para 12.9(2) 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. With this in mind I would strongly urge that when the council undertakes its viability testing for the plan proposals it considers the impact the plan may have on the railway infrastructure, in particular railway level crossings such as Crannaford level crossing. The cost of mitigating any impact may have a bearing on the viability and deliverability of any such proposed plan.

**Where there is an increase in the use, or alteration to the environment of a level crossing, contact with Network Rail should be made to assess this change against the risk rating for any such level crossing. An increase in risk will require suitable mitigation.**

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

Yours sincerely, Lisa



**Lisa Bullock MRTPI**  
Town Planner



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