

Rachel Tibbetts

From: DC.Consults
Sent: 10 June 2020 11:48
To: DC Support
Subject: FW: Cherwell ref 18-00825-HYBRID Heyford Park Camp Rd 1175 dwellings-care dwellings-retail Network Rail comments 04062020
Attachments: Heyford Park - Camp Road - Objection Addendum 04-05-2020.pdf 21-05-20.pdf; Cherwell Heyford scheme 1175 dwellings DCL 77m 24ch Somerton NRA 22032018.pdf; 7432924-B Cherwell.pdf

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From: Andrew Lewis <Andrew.Lewis@Cherwell-DC.gov.uk>
Sent: 10 June 2020 10:51
To: DC.Consults <DC.Consults@Cherwell-DC.gov.uk>
Subject: FW: Cherwell ref 18-00825-HYBRID Heyford Park Camp Rd 1175 dwellings-care dwellings-retail Network Rail comments 04062020

For def please

Andrew Lewis

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Principal Planning Officer – Major Projects Planning Team
Development Management
Place and Growth Directorate
Cherwell District Council
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My usual office days are Monday to Thursday

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From: TownPlanning LNW <TownPlanningLNW@networkrail.co.uk>

Sent: 04 June 2020 11:09

To: Andrew Lewis <Andrew.Lewis@Cherwell-DC.gov.uk>

Subject: Cherwell ref 18-00825-HYBRID Heyford Park Camp Rd 1175 dwellings-care dwellings-retail Network Rail comments 04062020

**FAO Andrew Lewis, Planning Officer
Cherwell District Council**

18/00825/HYBRID

Heyford Park, Camp Road, Upper Heyford, Bicester, OX25 5HD

1,175 new dwellings (Class C3)

- **60 close care dwellings (Class C2/C3)**
- **929 m2 of retail (Class A1)**
- **670 m2 comprising a new medical centre (Class D1)**
- **35,175 m2 of new employment buildings, (comprising up to 6,330 m2 Class B1a, 13,635 m2 B1b/c, 9,250 m2 Class B2, and 5,960 m2 B8)**
- **2.4 ha site for a new school (Class D1)**
- **925 m2 of community use buildings (Class D2); and 515 m2 of indoor sports, if provided on-site (Class D2)**
- **30m in height observation tower with zip-wire with ancillary visitor facilities of up of 100 m2 (Class D1/A1/A3)**
- **1,000 m2 energy facility/infrastructure with a stack height of up to 24m (sui generis)**
- **2,520 m2 additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use (Class D1)**
- **Creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure.**

Thank you for contacting Network Rail regarding the above proposal.

Network Rail would highlight to the developer and the council the location of Somerton Level Crossing; attached is a plan showing the location of the level crossing and the distance to the boundary of the proposal area. Also attached is a Level Crossing Narrative Risk Assessment of the existing risk at Somerton Level Crossing and an Addendum assessing the impact of the proposal on the risk.

Network Rail believes that the developer and council must include consideration of the impact of the proposal on the level crossing as part of the planning application process, particularly as the footpath over the crossing provides direct access to the canal towpath which will be a very attractive and popular walking route for new residents.

The NPPF underpins this requirement stating:

“Considering Development Proposals:

108. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

b) safe and suitable access to the site can be achieved for all users;

110. Within this context, applications for development should:

c) create places that are safe, secure...which minimise the scope for conflicts between pedestrians, cyclists and vehicles.”

Network Rail is objecting to this proposal. We believe that the development will have an unacceptable impact on risk on Somerton Level Crossing. Assessment of the impact upon the level crossing would need to consider both the increase in the volume **and** the change in character of users (including vulnerable users, which are defined below). We would consider removing our objection subject to the inclusion of a Grampian condition as below.

Should the council decide to permit this application, and in order to comply with the NPPF, a planning condition must be attached to the permission to require that:

1. Somerton Level Crossing is stopped up (via s257 of the Town & Country Planning Act 1990).
2. Closure of the level crossing, and any necessary diversionary route must be completed prior to the undertaking of the development proposals.

As a publicly funded organisation, Network Rail is not funded to mitigate the impact of new development proposals on its infrastructure.

Network Rail would be happy to meet with the council and the developer to discuss the issues raised by this application.

From

Diane Clarke
Town Planning Technician NW&C
AssocRTPI
Network Rail

Definition of Vulnerable Users

‘Vulnerable Users’ are characterised as those who are unable to use the level crossing quickly and effectively, and are not fully aware of the dangers at a level crossing. This term does not relate exclusively to disabled or elderly people with impaired mobility; but also

- Those with impaired hearing or vision
- Learning difficulties
- Or do not speak English
- Young children who do not have a mature perception of the risks that are inherent in crossing the railway
- Older children in groups
- And fully able bodied people who are vulnerable because, say, they may be carrying heavy bags, or pushing buggies
- Or walkers with a dog either on, or off the lead
- Many pedestrians now wear head-obscuring clothing and/or earphones and just do not see or hear an approaching train until it is too late
- Those who walk/lead a dog (or dogs) import a real possibility for vulnerability, albeit we do not say that every dog walker will always exhibit an equally high level of vulnerability.

Again, the approach is measured and ultimately, public safety-led.

There is high-level Parliament recognition of adopting categories of vulnerable users specifically in connection with assessing level crossings in public safety terms: see ‘House of Commons Safety at Level Crossings (Eleventh Report of Session: 2013-2014)’.

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