

Comment

Consultee Frances Cunningham (1250951)

Email Address [REDACTED]

Company / Organisation Network Rail

Address [REDACTED]
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Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Network Rail (Frances Cunningham - 1250951)

Comment ID DBLPPS497

Response Date 16/09/20 10:25

Consultation Point Site 11 - Cattle Mart ([View](#))

Status Processed

Submission Type Email

Version 0.6

Question 1a

Do you consider that the Local Plan is Legally compliant? Yes

Question 1c

Do you consider that the Local Plan complies with the Duty to Cooperate? Yes

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3b

Your Comments

As you have supported this part of the plan do you wish to provide any additional comments?

Housing sites: Site 11, Cattle Mart.

Network Rail is supportive of the principle of the proposed works at Bank top, whilst acknowledging that the proposals are still evolving. We would suggest that as part of the development of a masterplan

for the area that Network Rail works in conjunction with the council and the developers to deliver a scheme that produces the optimum outcome.

Site 11 - Cattle Mart

This brownfield site is currently in use as a cattle and auction mart and is located to the south west of the town centre. Although not currently available work is underway to relocate the mart in the near future from the town centre area to a site at Humbleton Farm adjacent to the A68 currently under construction. The current mart site is proposed for allocation for residential development with an indicative yield of 76 dwellings.

Issues and requirements

A. The East Coast mainline and Bank Top Station lie to the east of the site; appropriate mitigation should be provided.

B. The site will likely have some contamination that should be remediated as part of a development scheme.

C. Numerous TPO trees are present along the sites northern boundary. Development need not impact on the trees and could result in new planting.

D. The Grade II listed Bank Top Station is located adjacent to the site. Development of the site will need to enhance the setting of the listed building and also reflect railway terraced development which is prevalent in the area.*

E. Development should be concentrated on the western half of the site set back from Park Lane maintaining open views of heritage assets.

F. Development should respect the historic grain of development, use sympathetic materials, and be of an appropriate scale and design so as not to compete with the more prominent buildings in the area, particularly Bank Top Station.

G. Wherever possible, non-designated heritage assets (identified by the Heritage Impact Assessment) on the site should be retained and re-used as part of the sites redevelopment. Development proposals will need to consider an appropriate programme of targeted archaeological evaluation and mitigation during groundworks, in particular in the area of the existing carpark.

H. There is the potential for bats to be present in the existing buildings on site.

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Network Rail (Frances Cunningham - 1250951)
Comment ID	DBLPPS498
Response Date	17/09/20 10:25
Consultation Point	Policy H 10 Skerningham - Strategic Site Allocation (Strategic Policy) (View)
Status	Processed
Submission Type	Email
Version	0.5
Question 2	

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

As part of the works proposed under point G, we would urge the council and or developers to engage with Network Rail at the earliest convenience to discuss the bridge design and easements etc to ensure that the scheme can be delivered efficiently.

Skerningham - Strategic Site Allocation (Strategic Policy)

A strategic allocation is identified on the North side of Darlington at Skerningham (Site Reference: 251) to secure the delivery of up to 4,500 dwellings. During the plan period to 2036 this site is expected to deliver approximately 1,800 dwellings.

Development at Skerningham will be permitted in accordance with the principles set out below and other relevant policies in the Local Plan.

.....

- e. An integrated transport network focused on sustainable transport modes, including public transport, walking and cycling with strong links to adjoining communities, employment locations and Darlington town centre;*
- f. Principal vehicular access points from the A167, A1150 and Barmpton Lane and include appropriate measures to mitigate the impact of development on the local road network;*
- g. A local distributor road between the A167 and A1150, close to the Little Burdon roundabout, which is to include a crossing of the East Coast Mainline and a corridor to enable the provision of a connection across the River Skerne to the Northern Relief Road route;*
- h. Other necessary infrastructure as required by the Infrastructure Delivery Plan at the time of submitting a planning application;*
- i. a network of green and blue infrastructure that:*
 - i. retains and enhances the network of safe, attractive and accessible public rights of way,*
 - ii. protects and enhances the River Skerne, its valley setting (see Policy ENV 7), and the green corridor along the railway line;*

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Network Rail (Frances Cunningham - 1250951)
Comment ID	DBLPPS500
Response Date	16/09/20 10:25
Consultation Point	Policy ENV 2 Stockton and Darlington Railway (S&DR) (Strategic Policy) (View)
Status	Processed
Submission Type	Email
Version	0.5

Question 2

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Question 3a

Your Comments

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it is pleasing to see the inclusion of this policy, but Network Rail requires further clarification regarding the implications of this policy and would welcome a discussion with the Council regarding the proposals.

The policy would need to ensure that Network Rails Permitted development rights under Part 8 and Part 18 are not compromised by this policy.

As to do so would prejudice the usual day to day activities and operations of the railway and the appropriate rights set out in the GPDO.

Question 4

Changes Sought

Please Note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. There is the opportunity to attach Word or PDF files before submitting your comment.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues identified for examination.

Please set out what change(s) to the Local Plan you consider necessary to make it legally compliant or sound. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text.

Policy ENV 2

Stockton and Darlington Railway (S&DR) (Strategic Policy)

Proposals which will conserve and enhance elements which contribute to the significance of the Stockton and Darlington Railway and its setting, including its trackbed and branchlines, will be supported.

Proposals will be supported where they include measures that preserve any physical remains along the route, include site interpretation and where appropriate reinstate a legible route where those remains no longer exist.

Development proposals that support the development of the S&DR as a visitor attraction will be encouraged.

The preservation of the line will not however detract from the day to day operational railway and those powers set out in the GPDO enabling railway activities shall be upheld.

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Network Rail (Frances Cunningham - 1250951)
Comment ID	DBLPPS501
Response Date	16/09/20 10:25
Consultation Point	Policy IN 7 Telecommunication Masts (View)
Status	Processed
Submission Type	Email
Version	0.5

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

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Policy IN7 sets out the criteria for the citing of telecommunication masts, however it does not reference the installation of railway communications masts, known as GSM-R masts. These are vitally important for the safe operation of the railway and running of trains and key to the communications between track and train. We are supportive of the inclusion of the policy but request that an additional bullet point – F, is added which is specifically in relation to railway communications masts as the justification and requirement for these differs from traditional masts.

Question 4

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Addition of bullet point f -

f. Railway communications masts are to be supported where there is an operational need

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Network Rail (Frances Cunningham - 1250951)
Comment ID	DBLPPS503
Response Date	16/09/20 10:25
Consultation Point	Policy IN 2 Improving Access and Accessibility (Strategic Policy) (View)
Status	Processed
Submission Type	Email
Version	0.5
Question 2	

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

Network Rail is broadly supportive of the objectives of these two policies.

Paragraph 10.4.6 – it is positive to see the inclusion of the improvements to Darlington Railway station within the Local Plan, we would wish to work with the council on the development of the scheme.

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Network Rail (Frances Cunningham - 1250951)
Comment ID	DBLPPS505
Response Date	16/09/20 10:25
Consultation Point	Policy IN 3 Transport Assessments and Travel Plans (View)
Status	Processed
Submission Type	Email
Version	0.6
Question 2	

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Question 3a

Your Comments

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Network Rail (Frances Cunningham - 1250951)
Comment ID	DBLPPS506
Response Date	16/09/20 10:25
Consultation Point	Policy IN 1 Delivering a Sustainable Transport Network (Strategic Policy) (View)
Status	Processed
Submission Type	Email
Version	0.7
Question 2	

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

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We are generally supportive of the Local Plan, however there are some areas where we feel the Plan could be improved. In particular, the absence within the Plan of recognition of the need to manage the impacts of new developments on our level crossings is a significant omission.

The safety, reliability and efficiency of the rail infrastructure are of paramount importance to Network Rail and we cannot agree to any proposals which jeopardise these requirements. Level crossings are safe if used correctly. Most level crossing risk has resulted from user error or abuse. We are committed to reducing the risk at level crossings where reasonably practicable and will seek to close and/or divert crossings or enhance their safety through the provision of improved safety features or equipment. We will work with local councils to take a holistic approach to reducing level crossing risk and will encourage planning authorities to co-operate in securing level crossing closures or improvements in connection with new developments.

Paragraphs 10.2.8 and 10.2.10 are welcome and Network Rail would be supportive of a collaborative engagement on the proposed schemes.

Question 4

Changes Sought

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As you aware there are a number of level crossings in the Darlington local plan area so we would expect that specific reference is made in relation to Level crossings. As such we would suggest that policy IN1 includes an additional policy by adding point D in relation to Level crossings. The proposed text for this policy is drafted at the end of this policy.

The wording proposed is the same as agreed with Durham County Council and submitted in advance of the examination of the plan as a Statement of Common ground to be included in the adopted Local Plan.

D) FOR DEVELOPMENTS THAT INTERACT WITH ROAD AND RAIL – LEVEL CROSSINGS

Developments in the vicinity of level crossing (both vehicular and pedestrian) will be expected to assess the potential increase in risk at each crossing affected and indicate the appropriate mitigation required to reduce or remove such risks.

It is important that developments that have the potential to impact upon Level crossing safety fully assess the impacts of their proposals upon the safety of the level crossings and its users.

Where additional impacts or risk is identified it is appropriate that the developer should provide suitable mitigation to reduce or remove any additional risk imported by the development as proportionate to the level of risk and impacts generated by the development.