



Network Rail Supplementary Consultation Response

To:	Arun District Council
Date:	18/04/2023
Application reference:	BN/11/22/OUT
Location:	Barnham, Eastergate, Westergate BEW Parcel SC1 Barnham
NR Position:	Objection

Following our previous consultation response (dated 17/05/2022), we would like to provide this supplementary response to update Arun District Council on Network Rail's latest position.

As stated previously, Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway. Consequently, any development which will have an adverse impact on the operation railway is a concern to Network Rail.

Within our previous consultation response, we raised concerns about the potential impact of the proposed development on nearby level crossings and Barnham Station. We also highlighted the need for the applicant to engage with our Asset Protection team prior to starting works to ensure that the proposed development does not pose a risk to the operational railway.

As you will be aware, this is the first planning application relating to the BEW site allocation SD5 in the Arun Local Plan (2018) which in total will deliver up to 4,300 homes. This application seeks to obtain planning consent for up to 1,250 dwellings, a Care Home / Senior Living Accommodation, flexible retail and community floorspace, a Primary School, covering 34 % of the BEW allocation area. It also includes a new highway bridge over the railway.

Level crossings are considered, in the opinion of Network Rail's regulator the Office of Rail and Road (the ORR), the main source of catastrophic risk and the most appropriate method of dealing with such risk is by physical removal of level crossings from the network, where appropriate. This is entirely in line with the Health and Safety Executive's hierarchy of risk controls.

Consequently, Network Rail has a rigorous process of risk assessing its crossings and a publicly funded programme of risk reduction. As regards the risk assessing process, Network Rail is the only body responsible for and capable of expertly and consistently assessing such risk. This flows not only from the fact that Network Rail has a duty to manage such risk but, centrally, from the fact that level crossings are unique infrastructure assets and so is the degree of interaction they have with railway operations. This intricate and multi-faceted interface requires a unique and complex risk assessment method.

Risk reduction, in an ordinary case, is achieved by implementation of risk mitigation methods or the complete elimination of risk (i.e., through closure). Any public investment into such measures being deployed is predicated upon a clear recommendation made in the risk assessment and having a positive business case. This is in order to ensure that money is spent appropriately, and that any proposal presents value for money; Network Rail as an arms-length public body, is subject to Managing Public Money principles and public scrutiny. Accordingly, what must be prevented is for situations that import additional risk onto an existing level crossing to occur – especially where this can be avoided.

Since our original consultation response, the applicant has confirmed to Network Rail that they do not anticipate that any trips from this development will be drawn along this route and over the level crossings.

Contrary to the view of the applicant and given the scale, type and distance of the development, NR considers that this development is likely to generate increased usage of the level crossings. It should be noted that this risk is not only generated solely by increased usage, but also the demography of user, introducing the concept of vulnerable users, children and the likelihood of misuse.

Network Rail's view is further supported by the Planning Officer's Report for Birch Level Crossing Bridge prior-approval application (ref. BN/102/22/RAI) which states *"It is projected that there will be a material increase in usage of Birch Level Crossing from... the strategic BEW site to the west. A footbridge is required to mitigate this increase, the present crossing being considered unsuitable for future usage."* The Planning Officer goes on to state that the footpath is *"key infrastructure for linking access between the BEW strategic site, proposed residential development and existing properties on the outskirts of Barnham, to the facilities in central Barnham."*

Network Rail have recently had prior-approval refused for a stepped footbridge which would have facilitated the closure of Birch Footpath Level Crossing. It is the council's view that a ramped structure is required to ensure that the bridge would not cause added harm and injury to the amenity of the neighbourhood by reason of preventing those with disabilities and/or accessibility issues, cyclists and persons with young children.

Consequently, as the level crossings are remaining open and this development is likely to increase their usage, Network Rail object to the current proposal on the basis that the development will increase the risk to the level crossings.

We welcome further discussions to identify a reasonable contribution towards mitigating the impact of the development on the level crossings on a footpath identified as a key infrastructure link to support the BEW development.

Network Rail request that Arun District Council make suitable provisions to ensure that this development mitigates the impact on the level crossings should they be minded to grant approval.

We would like to take this opportunity to provide an update on our position on the potential impact on Canal Footpath Crossing, raised within our previous consultation response. We confirm that we do not expect this parcel of the BEW strategic allocation to have a significant impact on the level crossing. We do however have concerns about the potential impact of the southern parcels of the BEW strategic allocation and this will be raised if and when these planning applications are consulted on.

Barnham Station – Cycle Parking

We would also encourage the applicant to consider the impact, not only on the railway itself, but also on the ‘first and last mile’ element of passengers’ journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Developing access to the railway using first and last mile principles has a number of benefits including:

- Aligning with local and national policy to reduce carbon emissions and meet net-zero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

Following a review of the station facilities, Network Rail and Govia Thameslink Railway have identified a need for a new 50 space secure cycle facility. The current bicycle storage is very basic provision, which is unsecured and therefore unattractive and underutilised. A new secure cycle hub would help to attract more passengers to cycle to the station therefore reducing reliance on the car.

Provision of a secure Cycle Hub will encourage greater uptake of active travel to the station from not only the new residents, but also the existing local community.

Network Rail anticipate that a new cycle hub at Barnham Station would cost £100,000. It should be noted that Network Rail would return any unspent monies to the applicant should the cycle hub be delivered for less than £100,000.

We welcome further discussions on the provision of a secure Cycle Hub at Barnham Station.

Asset Protection Engagement

We would like to take this opportunity to remind the applicant of the need to engage with our Asset Protection Team to resolve the drainage concerns raised within our previous response and ensure that the development can be constructed safely without any risk to the operational railway.

To engage with our Asset Protection Team, please use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>). This website also provides more information about our Asset Protection team and the services they offer.

I trust the above clearly sets out Network Rail's position on the planning application. Should you require any more information from Network Rail, please do not hesitate to contact me.

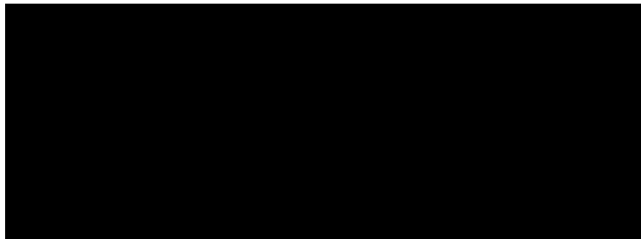
Kind Regards,

Nick Donoghue

Town Planner | Property (Southern)

Network Rail

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From: Nicholas Donoghue [REDACTED]
Sent: 18 April 2023 14:14
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Cc: Town Planning Southern [REDACTED]
Subject: Supplementary Network Rail Consultation Response: BN/11/22/OUT - Barnham, Eastergate, Westergate BEW Parcel SC1 Barnham

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Dear Planning,

Supplementary Network Rail Consultation Response: BN/11/22/OUT - Barnham, Eastergate, Westergate BEW Parcel SC1 Barnham

Please find attached Network Rail's supplementary consultation response to the above planning application.

I thought I'd already submitted this back in March although I cannot find any record of it being submitted, please could you confirm? I've updated the date in the attached letter.

Kind regards,

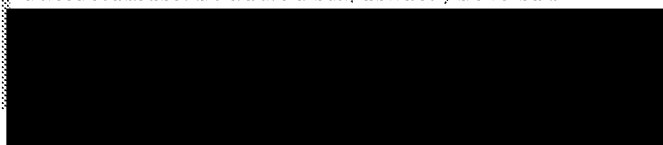


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Please note I am on study leave on Wednesdays.

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