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## Network Rail Consultation Response

<b>FAO:</b>	William Simcock
<b>Date:</b>	20 May 2021
<b>Application reference:</b>	2021/91795
<b>Proposal:</b>	Erection of 7 dwellings
<b>Location:</b>	Manashay Cottage, Upper Brow Road, Paddock, Huddersfield

Thank you for your recent correspondence relating to the above application.

Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.

Following assessment of the details provided to support the above application, Network Rail has **no objection in principle to the development**, but below are some requirements which must be met,

### **Works in Proximity to the Operational Railway Environment**

#### **Development Construction Phase and Asset Protection**

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

#### *Condition*

*Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.*

Contact details for Asset Protection are supplied below and **we would draw the developers' attention to the attached guidance on Network Rail requirements.**

#### **Drainage**

It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. **Please note, further detail on Network Rail requirements relating to drainage and works in proximity to the railway infrastructure is attached for your reference.**

#### *Condition*

It is expected that the preparation and implementation of a surface water drainage strategy addressing these above points will be conditioned as part of any approval.

**Boundary Treatments, Landscaping and Lighting**

**Trespass Proof Fencing**

Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development we consider that there will be an increased risk of trespass onto the railway. In this instance, this will have particular relevance to Plot 7.

*Condition*

The developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) and make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged.

**Additional Requirements**

**Railway Noise Mitigation**

The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

**Reason for above conditions:**

**The safety, operational needs and integrity of the railway.**

**Informatives:**

**Please see attached standard railway requirements to be included as informatives. In particular we would draw your attention to earthworks and excavations requirements and also access to railway assets (in this instance the adjacent subway should remain clear and unobstructed at all times).**

**Conclusion**

Thank you again for the opportunity to comment on the proposed scheme. We trust that the above will be given due consideration in determining the application and if you have any enquiries in relation to the above, please contact us at [townplanningline@networkrail.co.uk](mailto:townplanningline@networkrail.co.uk).

Useful Network Rail contacts;

**Asset Protection Eastern**

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email [assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk).

**Land Information**

For enquiries relating to land ownership enquiries, please email [landinformation@networkrail.co.uk](mailto:landinformation@networkrail.co.uk).

**Property Services**

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email [propertyservicesneem@networkrail.co.uk](mailto:propertyservicesneem@networkrail.co.uk).

Kind regards



**Matt Leighton**

Town Planning Technician

**Diversity and Inclusion Champion**

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