

Judith Cauldwell

From: PABC <pabc@broxtowe.gov.uk>
Sent: 11 July 2025 11:41
To: Darren Ottewell
Subject: FW: 25/00371/OUT - Land West Of Stapleford Lane Stapleford Nottinghamshire
Attachments: Standard Drainage Requirements.pdf; Standard Informatives.pdf

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From: Aaron Walsh <Aaron.Walsh@networkrail.co.uk> **On Behalf Of** Town Planning LNE
Sent: 10 July 2025 14:46
To: PABC <pabc@broxtowe.gov.uk>
Subject: 25/00371/OUT - Land West Of Stapleford Lane Stapleford Nottinghamshire

OFFICIAL

Network Rail Consultation Response

FAO:	Mr D Ottewell
Date:	10/07/2025
Application reference:	25/00371/OUT
Proposal:	Outline Planning Application for the construction of a residential development of up to 420 residential dwellings and associated open space and infrastructure (With some matters reserved)
Location:	Land West Of Stapleford Lane Stapleford Nottinghamshire

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.

It is recognised that much of the detail here is more appropriate for the reserved matters stage but is mentioned here as a reminder of the issues that will need to be considered.

Mining

The proposed application site falls within Network Rail's Mining Referral area. Should this application move forward, we would require the developer to work closely with our Asset Protection Team to ensure that the scheme did not adversely impact the railway infrastructure. The applicant may be required to provide ground investigation/monitoring to confirm there will be no detrimental effect on earthwork stability. Additionally, any works to assess mining risk should comply with Network Rail guidance NR L2 CIV 191 Mod 5 (requirements for managing the risk from mining in design and construction), which will need to be managed through our Asset Protection Team.

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 may 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. We would also like to advise that where any damage, injury or delay to the rail network is caused by construction works or future maintenance (related to the application site), the applicant or developer will incur full liability. This could also include police investigation as it is a criminal offence to endanger the railway or obstruct the passage of rail traffic. It should also be noted that any damage that requires a line closure or repairs can result in costs which could exceed hundreds of thousands of pounds.

All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal ([ASPRO Network Rail Implementation \(oraclecloud.com\)](https://asprouk.oraclecloud.com)). From there, the outside party can create an account and submit their enquiry. The enquiry will then be assigned to one of the Asset Protection team to progress. Alternative contact details for Asset Protection are supplied below and **we would draw the developers' attention to the attached guidance on Network Rail requirements**.

The application must be supported by a site-specific Construction Methodology should it not possible to satisfy Network Rail's requirements recommended in the attached. The council should satisfy itself, without consulting Network Rail, that there are good reasons why the recommended requirements cannot be adhered to.

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

We expect a condition regarding the disposal of surface water to be included as part of any consent

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.

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.

Vehicle Incursion Measures

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway. This is in accord with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways.

Condition

Given the nature of the proposals and location of turning areas/car parking, we would expect that a condition securing the design and installation of suitable vehicle incursion measures by the developer is included in any consent. This is for the safety, operational needs and integrity of the railway.

Landscaping

It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorn (Cretaeus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var. betulifolia), Lombardy Poplar (Populus nigra var. italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

Condition

Landscaping detail should be submitted to the Local Planning Authority and approved in conjunction with Network Rail.

Lighting

Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

Condition

Detail of any external lighting should be provided to the Local Planning Authority to be approved in conjunction with Network Rail.

Additional Requirements

Railway Noise Mitigation

The proposed scheme is in close proximity to Toton Freight Yard to the sites western extremity. 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 to reflect such operations. 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.

It should be noted that section 122 of the Railways Act 1993 gives all rail operators a statutory defence against noise nuisance under the Environmental Protection Act 1990. The effect of this is that any future occupiers of adjacent site will be unable to seek redress for noise nuisance through Environmental Protection legislation.

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.

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.

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.

Land Information

For enquiries relating to land ownership enquiries, please email landinformation@networkrail.co.uk.

Property Services

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email propertyserviceslneem@networkrail.co.uk.

Kind Regards,



Aaron Walsh

Town Planning Technician
Network Rail Land & Property (Eastern)
George Stephenson House, Toft Green, York, YO1 6JT

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