Network licence condition 7 (land disposal):
Hunsbury Hill, Northamptonshire

Decision

1. On 27 May 2014, Network Rail gave notice of its intention to dispose of land off Hill Farm Rise and Clannell Drive in the Hunsbury Hill district of Northamptonshire (the land) in accordance with paragraph 7.2 of condition 7 of its network licence. The land is described in more detail in the notice (copy attached).

2. We have considered the information supplied by Network Rail including the responses received from third parties you have consulted. For the purposes of condition 7 of Network Rail’s network licence, ORR consents to the disposal of land in accordance with the particulars in your notice subject to the following condition:

   Network Rail shall not proceed with the proposed disposal until it has provided evidence to ORR, and we have confirmed in writing that such evidence is satisfactory to us, that any development on the land will not adversely affect the Hunsbury Hill tunnel or its shafts.

Reasons for decision

3. We are satisfied that Network Rail has consulted all relevant stakeholders with current information. We note that the proposed disposal would not itself affect adversely existing or future railway operations.

4. We note that planning permission has not yet been given for this development by Northampton Borough Council. However, matters relating to town planning are outside our locus and instead are for the local authorities to consider and address. This includes the issue of noise and whether any acoustic fencing will be required, which was a point raised by both London Midland and British Transport Police.

5. However, we need to be assured that Network Rail has had due regard to the interacting effects between the tunnel and its shafts, and any hidden shafts, and the land above. The Clifton Hall tunnel collapse of 28 April 1953 attests to the importance of this mindfulness. We are therefore attaching a condition to our consent that requires Network Rail to give us the assurance we need that any development post-disposal will not have an adverse effect on the tunnel, and conversely that any movement of the tunnel or land in its zone of influence will not endanger the residents or any buildings above. We are not attaching any further conditions at this time.
6. Network Rail is aware of the potential reduction in the stability of the approach cutting as a consequence of the development. We note that Network Rail will review the development proposals to ensure the cutting maintains its structural integrity. It will also monitor the slope stability during and after construction. We consider that such actions are consistent with the company’s network management obligations in its network licence.

7. We also note Network Rail’s statement that it would ensure that the proposed residential development will not lead to any flood issues in the vicinity.

8. Based on the evidence we have received and taking into account all of the material facts and views relevant to our consideration under condition 7, we are satisfied that there are no further issues for us to address. We have had regard to our decision criteria in Land disposal by Network Rail: the regulatory arrangements, December 2013, and balanced our section 4 duties given to us under the Railways Act 1993. In doing so we have given particular weight to our duty to exercise our functions in a manner which we consider best calculated to “protect the interests of users of railway services”.

9. We have therefore concluded our consent to the proposed should be granted, subject to the conditions attached.

Rob Plaskitt

1 Available from www.rail-reg.gov.uk/server/show/nav.150
**Proposed Property Disposal**

Application by Network Rail Infrastructure Limited to dispose of land in accordance with the Land Disposal Condition of the Network Licence

### 1. Site

<table>
<thead>
<tr>
<th>Site location and description</th>
<th>Northampton – Land off Hill Farm Rise and Clannell Drive within the Hunsbury Hill district of Northamptonshire shown coloured blue on the attached site plan. The site is vacant and under utilised with mature trees around the northern and eastern boundaries. Access to the site is pedestrian only, directly off the adjacent public highway. The site is at a higher level to the railway. The topographical profile of the site generally slopes gently to the south west, with the high ground to the north and north east. Network Rail’s retained land comprises the adjoining Northampton Loop of the West Coast Mainline railway inc. cutting slope, tunnel and maintenance yard to the south.</th>
</tr>
</thead>
</table>
| Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway) | 1. Location Plan  
2. Site Plan No. 45437B  
3. Indicative Master Plan layout |
| Clearance Ref: | CR/21571 |
| Project No. | S05010 |
| Ordnance survey coordinates | Easting 474030, Northing 257688 |
| Photographs (as required) | Aerial image attached |

### 2. Proposal

<table>
<thead>
<tr>
<th>Type of disposal (i.e. lease / freehold sale)</th>
<th>Freehold or long leasehold land disposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed party taking disposal</td>
<td>To be confirmed. The Purchaser will be selected following the marketing of the development opportunity to developers and house builders.</td>
</tr>
<tr>
<td>Proposed use / scheme</td>
<td>Construction of housing on the property. Differing housing options have been evaluated for the site, which have also been discussed with the Local Planning Authority. The preferred arrangement is currently unknown but the indicative scheme layout drawing provides one potential option. The final scheme design (including housing type, number of dwellings and layout) will be determined following the selection of the developer and more detailed discussions with the Local Planning Authority. A small part of the site on the western edge of the property is...</td>
</tr>
</tbody>
</table>
Located above the railway tunnel. The construction and layout of the
development will be subject to the views and comments of Network Rail’s
ingineers but no housing is proposed directly over the tunnel.

| Access arrangements to/ from the disposal land | Direct from public highway either off Hill Farm Rise or Clannell Drive. |
| Replacement rail facilities (if appropriate) | N/A |
| Anticipated Rail benefits | No direct benefits but capital receipts for Network Rail which will be re-invested in the railway. |
| Anticipated Non-rail benefits | The development will be of benefit to the local environment, community and economy. Temporary construction jobs will be created during the building works which will be followed by the supply of housing. Environmental improvements will result from the development of the under utilised area of land which otherwise runs the risk of becoming over grown and a target for fly tipped materials. Such improvements will benefit the local community and businesses. |

3. Timescales

| Comments on timescales | Pre-application discussions are proposed with the local planning authority up until around summer 2014. Thereafter, following further surveys and regulatory approval to the land disposal, the submission of a planning application is proposed, which is estimated to be in 2015. The site is proposed to be put to the open market as a development opportunity for developers/house builders whereupon a development partner will be selected as part of the process. Subject to securing a development partner and obtaining planning consent (est. 2015) the estimated start date for the on site construction works is 2016. |

4. Railway Related Issues

| History of railway related use | The land was acquired by British Railways Board in March 1985 although the reasons for acquisition are unknown. The site does not appear to have had a previous railway related use associated with the adjacent mainline railway due to it being outside of railway ownership until 1985. Historic OS records indicate that on part of the site there was an Old Stone Pit and a tramway (pre 1950) on the northern boundary. |
| When last used for railway related purposes | The site does not appear to have been used for railway related purposes. It is located at a higher level than the railway and lies beyond the top of the adjacent railway cutting slopes. It is effectively divorced and remote from the railway corridor. The Northampton Loop of the West Coast Mainline railway runs in a cutting, distant from the site. The site is fenced outside of the operational railway corridor. |
| Any railway proposals affecting the site since that last relative use | There are no railway proposals affecting the site. |
| Impact on current railway related proposals | There are no foreseen impacts on current railway related proposals. |
| Potential for future railway related use | There is no reference in the RUS to this site. Whilst there are likely to be potential changes to the frequency and nature of services in the Northampton area (in relation to HS2), Network Rail’s Senior Strategic Planner (West Coast Main Line) has no objections to the proposed disposal. HS2 Ltd has no comments/objections. |
| Any closure or station change or network change related issues | The site is located approximately one mile to the south of Northampton railway station. There are no physical connections to the operational rail network requiring Network Change. Hence there are no closure or station change or network change related issues. |
| Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future | The disposal does not affect any railway (including train operator) related access needs. Network Rail currently has vehicular access to the railway via a separate access located off Hill Farm Rise immediately to the south of the site. This access will not be affected by the proposed disposal. Access to the railway, tunnel and cutting is available via a lineside access to the south of the site. |
| Position as regards safety / operational issues on severance of land from railway | There is an existing palisade fence around part of the site to segregate it from the adjoining railway, although this does not accurately follow the proposed disposal boundary. The disposal will include arrangements under which Network Rail and/or the other party will install new boundary fencing along parts of the railway boundary and sufficient fencing already exists for the rest. The disposal is on a basis under which Network Rail has had due regard (where applicable) to impact of the disposal on lineside works, including railway troughing, signalling and their maintenance. The disposal is without prejudice to Network Rail’s safety obligations, with which Network Rail will continue to comply. Network Rail’s network licence requires compliance with Railway Group Standards. These set out requirements for – amongst other things – fencing, access and signal sighting. In addition, the Railways and Other Guided Transport Systems (Safety) Regulations 2006 require Network Rail to have a safety management system and safety authorisation in respect of its mainline railway system and its railway infrastructure. These, in turn, require Network Rail to comply with Railway Group Standards as well as its own internal standards; and also continually to monitor changes to the risks arising from its operations and to introduce new control measures as appropriate. |

5. Planning History and Land Contamination

| Planning permissions / Local Plan allocation (if applicable) | The vast majority of the Property is designated in the current Northampton Local Plan 1993-2006 as Green Space & part of the Property near the tunnel is designated as Nature Conservation Value. The Local Development Framework (LDF) is due to replace the Local Plan. Network Rail has made representations to put the site forward for consideration as part of the Site Allocations document in the LDF. The site is included in the Council’s list of SHLAA sites (Ref: NBC781) and has been classified as a B site where it is “capable of development, subject to overcoming current constraints”. |
| The development proposals have been worked up following consultation with Northampton Borough Council Planning and Highways Departments. The Local Authority is supportive of the principle of the proposed development. |
Work has already been undertaken producing various site survey and assessment reports that will be required to support a planning application for the proposed form of development. The site does not currently have planning consent but a planning application will be submitted either before or following the appointment of a preferred developer/house builder.

### Contamination / Environmental Issues (if applicable)

None known which are relevant to this application. The site is green space and it is understood that there are no contamination issues, although this will be addressed as part of the planning process. A desk top geo-environmental survey has been undertaken for the site. The site would not appear to have a previous railway use. All necessary geotechnical, contamination and buried site surveys will be undertaken prior to commencement of any on site construction works.

### 6. Consultations

**Railway (internal – Network Rail)**

- Technical Clearance certificate issued 9th December 2013.

We consulted internally including the Freight team and LNW Route team and have received no objections.

Site specific conditions relate to Network Rail ensuring that the proposed residential development does not give the area and tunnel any flood issues. Network Rail’s Drainage Engineer has advised that drainage was installed at the top of the adjacent cutting slope in 2002/3 as part of a larger scheme to manage the tunnel catchment on the Up side of the railway. All water from the slopes falling down towards the tunnel is captured in the gravel drains and discharged towards a holding pond at the top of the cutting to the south of the proposed disposal site.

Any development must be undertaken so as to not interfere with the system and not to add any surface water onto the slopes down to the track. The construction of a filter drain is required along the entire land boundary to discharge into the attenuation pond, which would be handed to Network Rail for adoption and maintenance. This fulfils Network Rail’s requirement for a crest drain. A slope stability analyses is to be reviewed by the RAM (Geotechnics) team to demonstrate that there is no reduction in overall stability of the slopes as a consequence of housing development on the site.

Network Rail’s generic conditions to ensure the future protection of the operational railway and infrastructure will also apply.

**Summary of position as regards external consultations**

A consultation has been completed. Consultees had no comment or objection to make in relation to the proposed disposal.

Initial planning meeting with Northampton Borough Council Officers was held on 2nd October 2013 over development proposals for the site. A further formal pre-application meeting took place with the Borough Council on 26th February 2014. Consultations on development have included discussions with County Highways over access to the site for housing development purposes.
<table>
<thead>
<tr>
<th>Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward</th>
<th>Not applicable as no unresolved objections.</th>
</tr>
</thead>
</table>

## 7. Local Authorities

### Names & Email Addresses:
Northampton Borough Council, The Guildhall St Giles Square, Northampton NN1 1DE
Tel:  
Email: @northampton.gov.uk

### Local Transport Authorities:
Northamptonshire County Council

### Other Relevant Local Authorities:
N/A

## 8. Internal Approval

### Surveyor Name:

### Approved by Property Development Manager
Name:  
Date Approved by PDM: 13th May 2014
PROPOSED LAND DISPOSAL CONSULTATION REPORT

relating to

APPLICATION BY NETWORK RAIL INFRASTRUCTURE LIMITED FOR REGULATORY CONSENT
UNDER THE LAND DISPOSAL CONDITION OF ITS NETWORK LICENCE

This report is provided as a supplement to our forms for the proposed disposal of land at:

Site location and description: Northampton – land off Hill Farm Rise and Clannell Drive in the Hunsbury Hill district of Northamptonshire as shown coloured blue on the attached Plan No. 45437B

We have consulted in relation to this evaluation, and summarise the results of this as follows:

Summary of position regarding responses: There have been no objections or adverse comments in relation to the proposed disposal. The main points of note are in relation to Network Rail’s operational requirements in relation to the adjacent cutting slope and tunnel and appropriate drainage provision. In addition, as outlined by BT Police, the need to provide appropriate fencing (inc. acoustic barrier) between the Property and the railway.

The full list of external consultees is set out below:

<table>
<thead>
<tr>
<th>No.</th>
<th>External party (name)</th>
<th>Whether response received (y/n)</th>
<th>Date of response</th>
<th>Details of response (e.g. “no comment”), with reference to any accompanying copy representation in annexes to this report</th>
<th>Comments (e.g. as regards endeavours to obtain response where none given)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>W H Malcolm</td>
<td>Yes</td>
<td>7th March 2014</td>
<td>WH Malcolm has no objections to the proposal.</td>
<td>Responded</td>
</tr>
<tr>
<td>2</td>
<td>London Midland Ltd</td>
<td>Yes</td>
<td>10th March 2014</td>
<td>we can foresee no Railway use for this land and therefore we do not wish to make any objection</td>
<td>Responded</td>
</tr>
<tr>
<td>3</td>
<td>First Great Western Limited</td>
<td>Yes</td>
<td>7th March 2014</td>
<td>FGW has no comment</td>
<td>Responded</td>
</tr>
<tr>
<td>4</td>
<td>National Express Group</td>
<td>Yes</td>
<td>7th March 2014</td>
<td>no objection to this proposed disposal</td>
<td>Responded</td>
</tr>
<tr>
<td>5</td>
<td>Freightliner Ltd</td>
<td>Yes</td>
<td>7th March 2014</td>
<td>No comments from Freightliner</td>
<td>Responded</td>
</tr>
<tr>
<td>6</td>
<td>Merseyrail Electrics 2002 Ltd</td>
<td>Yes</td>
<td>7th March 2014</td>
<td>No comments or objections</td>
<td>Responded</td>
</tr>
<tr>
<td>7</td>
<td>Rail Freight Group</td>
<td>Yes</td>
<td>7th March 2014</td>
<td>OK with RFG</td>
<td>Responded</td>
</tr>
<tr>
<td>8</td>
<td>Alliance Rail Holdings</td>
<td>Yes</td>
<td>10th March 2014</td>
<td>No comment</td>
<td>Responded</td>
</tr>
<tr>
<td>9</td>
<td>Arriva Trains Cross Country</td>
<td>Yes</td>
<td>10th March 2014</td>
<td>No objection</td>
<td>Responded</td>
</tr>
<tr>
<td>10</td>
<td>GB Railfreight Ltd</td>
<td>Yes</td>
<td>10th March 2014</td>
<td>No objection</td>
<td>Responded</td>
</tr>
<tr>
<td>11</td>
<td>Eurostar International Limited</td>
<td>Yes</td>
<td>10th March 2014</td>
<td>No issue</td>
<td>Responded</td>
</tr>
<tr>
<td>12</td>
<td>East West Rail Consortium</td>
<td>Yes</td>
<td>10th March 2014</td>
<td>No comment</td>
<td>Responded</td>
</tr>
<tr>
<td>No.</td>
<td>External party (name)</td>
<td>Whether response received (y/n)</td>
<td>Date of response</td>
<td>Details of response (e.g. “no comment”), with reference to any accompanying copy representation in annexes to this report</td>
<td>Comments (e.g. as regards endeavours to obtain response where none given)</td>
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</tr>
<tr>
<td>13</td>
<td>Chiltern Railway Company Ltd</td>
<td>Yes</td>
<td>11&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>No comments</td>
<td>Responded</td>
</tr>
<tr>
<td>14</td>
<td>Passenger Focus</td>
<td>Yes</td>
<td>11&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>No objection</td>
<td>Responded</td>
</tr>
<tr>
<td>15</td>
<td>C2c Rail Limited</td>
<td>Yes</td>
<td>11&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>No objection</td>
<td>Responded</td>
</tr>
<tr>
<td>16</td>
<td>Department for Transport</td>
<td>Yes</td>
<td>11&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>No comments</td>
<td>Responded</td>
</tr>
<tr>
<td>17</td>
<td>High Speed Two (HS2) Ltd</td>
<td>Yes</td>
<td>12&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>No comments</td>
<td>Responded</td>
</tr>
<tr>
<td>18</td>
<td>Northamptonshire County Council</td>
<td>Yes</td>
<td>13&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>Having considered the matter we can see no reasonably foreseeable railway use for the land and therefore its disposal. However, this view does not include comment on any future development of the land and the County Council would make such comments as part of any formal planning process.</td>
<td>Responded</td>
</tr>
<tr>
<td>19</td>
<td>British Transport Police</td>
<td>Yes</td>
<td>17&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>17&lt;sup&gt;th&lt;/sup&gt; March 2014 - I have made enquiries and have been advised that BTP have nothing else to add in relation to this. 10&lt;sup&gt;th&lt;/sup&gt; March 2014 – I have no problem with regard to the disposal of this land, but as it is likely to change from a Greenfield site to a housing estate, perimeter security of the ‘railway’ is crucial. Consideration for the erection of an ‘acoustic’ fence to dampen railway noise by the developer should be brought to mind. I would be happy to visit the site with NR and or the developer to discuss the matter further</td>
<td>Responded</td>
</tr>
<tr>
<td>20</td>
<td>Association of Community Rail Partnerships</td>
<td>Yes</td>
<td>31&lt;sup&gt;st&lt;/sup&gt; March 2014</td>
<td>No objection</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and thereafter responded</td>
</tr>
<tr>
<td>21</td>
<td>Freight Transport Association</td>
<td>Yes</td>
<td>31&lt;sup&gt;st&lt;/sup&gt; March 2014</td>
<td>No comment</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and thereafter responded</td>
</tr>
<tr>
<td>22</td>
<td>Grand Central Railway Company Ltd</td>
<td>Yes</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; April 2014</td>
<td>No comment</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and thereafter responded</td>
</tr>
<tr>
<td>23</td>
<td>Northern Rail Ltd</td>
<td>Yes</td>
<td>7&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>No objections</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 &amp; further reminder sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 &amp; thereafter responded</td>
</tr>
<tr>
<td>24</td>
<td>West Coast Railway</td>
<td>Yes</td>
<td>7&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>No comments</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further</td>
</tr>
<tr>
<td>No.</td>
<td>External party (name)</td>
<td>Whether response received (y/n)</td>
<td>Date of response</td>
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<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>25</td>
<td>COLAS Freight</td>
<td>Yes</td>
<td>7&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>No comment</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further reminder sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 and thereafter responded</td>
</tr>
<tr>
<td>26</td>
<td>DB Schenker</td>
<td>Yes</td>
<td>8&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>No objection</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further reminder sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 and thereafter responded</td>
</tr>
<tr>
<td>27</td>
<td>Virgin West Coast Trains Ltd</td>
<td>Yes</td>
<td>9&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>No objections</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further reminder sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 and thereafter responded</td>
</tr>
<tr>
<td>28</td>
<td>London &amp; South Eastern Railway Ltd (southeastern)</td>
<td>Yes</td>
<td>10&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>No comment</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further reminder sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 and thereafter responded</td>
</tr>
<tr>
<td>29</td>
<td>Northampton Borough Council</td>
<td>Yes</td>
<td>22&lt;sup&gt;nd&lt;/sup&gt; April 2014</td>
<td>no objection to the proposed land disposal, although arguably that is an internal matter for Network Rail. As you are aware from the pre application meeting the principle of development in the form of residential development on the site was considered, in policy terms, to be acceptable in principle.</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further reminders sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 and 22&lt;sup&gt;nd&lt;/sup&gt; April 2014 and thereafter responded</td>
</tr>
<tr>
<td>30</td>
<td>Direct Rail Services Ltd</td>
<td>Yes</td>
<td>23&lt;sup&gt;rd&lt;/sup&gt; April 2014</td>
<td>No objections</td>
<td>Reminder sent 31&lt;sup&gt;st&lt;/sup&gt; March 2014 and further reminders sent on 7&lt;sup&gt;th&lt;/sup&gt; April 2014 and 22&lt;sup&gt;nd&lt;/sup&gt; April 2014 and thereafter responded</td>
</tr>
</tbody>
</table>

Copies of responses are given in the annexes to this report, as indicated above. A copy of the consultation request (before customisation for any individuals) is given in Annex 1 and consultee responses in Annex 2.
Annex 1 – Network Rail’s Consultation Request (and reminder e-mails)

From: @networkrail.co.uk
Sent: 07 March 2014 16:20
To:
Subject: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

All
We seek to consult you as regards your views, please, on our proposed disposal of land at Hunsbury Hill, Northampton, located off Clannell Drive and Hill Farm Rise, located approximately one mile south of Northampton railway station.

We attach a draft application form which, with its related plans and attachments, explains the proposal in detail.

To date Network Rail has not been able to identify any reasonably foreseeable railway related use for the proposed disposal area for the following reasons:

- The disposal area is distant from the railway line and suitable protective provisions will be adopted to ensure that the development proposed does not impact adversely on the adjoining railway, tunnel or cutting slopes. The land was acquired by British Railways Board (now Network Rail) in 1985 and would appear not to have been used for railway purposes since that date. It is currently accessed by the public on an informal basis for walking purposes and is fenced off from the main railway line by a palisade fence.

Therefore (and subject to stakeholder comments) we are currently minded to treat this disposal as one that falls within ground (d)(ii) of the general consent mechanism, in that the land has no reasonably foreseeable railway use:

(i) for, or in connection with, services relating to railways; or

(ii) for any other public transport use, which would provide benefit for rail passengers, through better integration of public transport modes.

We request your comments on this proposed disposal by Friday 4th April 2014 (including any “no comment” response). It would be particularly helpful if your response could indicate whether you believe that that proposed disposal area has any reasonably foreseeable railway related or other public transport use that has not been identified by Network Rail which may mean that ground (d)(ii) should not apply.

Following this consultation and having considered any comments that are received we will decide whether to not to proceed with this disposal. As previously stated we are currently minded to treat this disposal as one falling within the general consent mechanism. However, subject to stakeholder comments we may decide to submit a formal application to ORR for consent to dispose under the terms of our network licence land disposal condition. If we decide to make a formal application to ORR we will, in accordance with ORR's regulatory arrangements for land disposal send you a notification of our application in due course.

If you have any queries as regards this proposal, please contact myself using the contact details at the foot of this email.

If future consultations of this nature should be directed differently to your organisation, please advise us of the appropriate contact details, so we may amend our records.

Regards

Property
11thFloor, TheMailbox, 100WharfsideStreet
Birmingham B1 1RT
T
M
E @networkrail.co.uk

www.networkrail.co.uk/property

From: @networkrail.co.uk
Sent: 07 April 2014 12:13
To:
Subject: FW: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

All
I refer to my e-mail below dated 7th March 2014 and subsequent reminder dated 31st March 2014, regarding the above mentioned matter which sought a response by 4th April 2014.

To date I am unable to trace receiving your response.

I would therefore be grateful for your reply by return since we are now beyond the deadline date.
From: @networkrail.co.uk
Sent: 31 March 2014 16:06
To: Subject: FW: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

All
I refer to my e-mail below dated 7th March 2014 regarding the above mentioned matter which sought a response by 4th April 2014. To date I am unable to trace receiving your response. I would therefore be grateful for your reply by the final response date of Friday this week.

Thanks
From: @networkrail.co.uk
Sent: 31 March 2014 16:06
To: Subject: FW: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

All
I refer to my e-mail below dated 7th March 2014 regarding the above mentioned matter which sought a response by 4th April 2014. To date I am unable to trace receiving your response. I would therefore be grateful for your reply by the final response date of Friday this week.

Thanks

Annex 2 – Consultee Responses

1. W H Malcolm

From: @whm.co.uk
Sent: 07March201416:26
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

WH Malcolm has no objections to the proposal.

MALCOLM
Email: @whm.co.uk
Tel:
Mobile: + 44 (0)

2. London Midland

From: @londonmidland.com
Sent: 07March201416:28
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

I will respond to this formally after I have consulted some internal colleagues – …………………………………………………………………………………………………

From: @londonmidland.com
Sent: 10March201416:20
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

I have consulted within London Midland and we can foresee no Railway use for this land and therefore we do not wish to make any objection

Kind Regards
London Midland

3. First Great Western

From: @firstgroup.com
Sent: 07March201416:33
To: 
Subject: Re: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

FGW has no comment.
Thank you.
FirstGreatWestern
3rdFloor | MilfordHouse | 1MilfordSt | SwindonSN11HL
e: @firstgroup.com | m:
FirstGreaterWesternLimited | RegisteredinEnglandandWalesnumber05113733
Registered office: Milford House, 1 Milford Street, Swindon SN1 1HL

4. National Express Group

From: @nationalexpress.com
Sent: 07March201416:40
To: 
Cc: 
Subject: Re: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

On behalf of National Express Group, I confirm that we have no objection to this proposed disposal

Rgds
5. Freightliner
From: @Freightliner.co.uk
Sent: 07 March 2014 16:52
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
No comments from Freightliner
Regards

6. Merseyrail
From: @merseyrail.org
Sent: 07 March 2014 18:41
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Merseyrail have no comments or objections to the above proposal.
Regards
Merseyrail
Tel
Mob
Email: @merseyrail.org
Web: www.merseyrail.org

7. Railfreight Group
From: @rfg.org.uk
Sent: 07 March 2014 20:13
To: 
Subject: Re: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Ok with RFG,
Thanks,

Rail Freight Group
@rfg.org.uk

8. Alliance Rail Holdings
From: @alliancerail.co.uk
Sent: 10 March 2014 09:46
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Alliance has no comment on this proposal
Regards
Alliance Rail Holdings
88 The Mount
York
YO24 1AR
@alliancerail.co.uk
9. Cross Country Trains
From: @crosscountrytrains.co.uk
Sent: 10March201409:54
To:
Subject: FW: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
C Trains has no objection to this proposal.
Regards
CrossCountry
Phone: Mobile: Fax:
Address: 5th Floor, Cannon House, 18 The Priory Queensway, Birmingham, B4 6BS

10. G B Railfreight Ltd
From: @gbrailfreight.com
Sent: 10March201410:11
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
I can confirm that GB Railfreight Ltd has no objection to the proposed land disposal at Hunsbury Hill, Northampton as detailed in your email and attachments of 07/03/14.
Regards
GBRf
07810-635226

11. Eurostar International Ltd
From: @eurostar.com
Sent: 10March201411:57
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Hi there,
No issue for EIL

Thanks
Eurostar International Limited
Times House | Bravingtons Walk | London N1 9AW
T +44 (0)
M +44 (0)
eurostar.com

12. East West Rail
From:
Sent: 10March201416:29
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
No comment.
EAST WEST RAIL
Network Rail
The Mailbox
100 Wharfside Street
Birmingham
B1 1RT
Mobile:
13. Chiltern Railways
From: EXTL
Sent: 11 March 2014 08:21
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Dear
Chiltern Railways have no comments.
Kind regards,

14. Passenger Focus
From: @passengerfocus.org.uk
Sent: 11 March 2014 17:06
To:
Subject: Re: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land 050314
Thank you for sending Passenger Focus details of the proposed disposal of land in Northampton. They note that:
the land is above, and to the east, of the up end of Hunsbury Hill Tunnel and the railway south of it;
it has no current or future railway use;
disposal will be freehold, apart from the land above the tunnel, which will be sold leasehold;
if permission is granted, the intended use for the land after sale is for housing (none above the tunnel);
drainage of the site was improved in 2002/3, and any development will be subject to conditions to ensure it does not increase the run-off towards the railway;
the stability of slopes affected by any building will be checked;
it is estimated that any construction on the site would not be until 2015 or 2016.
Passenger Focus has no objection to the proposed disposal.
Regards,
Tel.

From: @networkrail.co.uk
Sent: 11 March 2014 11:11
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014 050314
Sorry – I did look, but the format of cells in the evaluation form means that they don’t show all their contents until the view selected is changed from print layout.
Thanks,

From:@networkrail.co.uk]
Sent: 11 March 2014 11:41
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014 050314
Thanks
Yes, the formatting of the template isn’t great and does tend to hide some of the text unless you select the correct view.
Please let me have your comments in due course.
Regards

If you look at Section 6 of the attached Proposed Land Disposal Evaluation Form, under Railway Consultations it states as follows:-
“Site specific conditions relate to Network Rail ensuring that the proposed residential development does not give the area and tunnel any flood issues. Network Rail’s Drainage Engineer has advised that drainage was installed at the top of the adjacent cutting slope in 2002/3 as part of a larger scheme to manage the tunnel catchment on the Up side of the railway. All water from the slopes falling down towards the tunnel is captured in the gravel drains and discharged towards a holding pond at the top of the cutting to the south of the proposed disposal site.

Any development must be undertaken so as to not interfere with the system and not to add any surface water onto the slopes down to the track. The construction of a filter drain is required along the entire land boundary to discharge into the attenuation pond, which would be handed to Network Rail for adoption and maintenance. This fulfils Network Rail’s requirement for a crest drain. A slope stability analyses is to be reviewed by the RAM (Geotechnics) team to demonstrate that there is no reduction in overall stability of the slopes as a consequence of housing development on the site.

Network Rail’s generic conditions to ensure the future protection of the operational railway and infrastructure will also apply.

Hence the proposed residential development of the site for residential purposes will be subject to the above conditions to ensure the development does not have an adverse impact on the adjacent railway in relation to run off/flooding.

Regards

From: [@passengerfocus.org.uk]
Sent: 11 March 2014 09:14
To: [passengerfocus.org.uk]
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014 0503i14

When I started on the old Western Region many years ago, it soon became obvious that a regular cause of disruption was flooding at Chipping Sodbury Tunnel, still the cause of grief. Local run-off would increase if housing were to be built. If the land were to be built on, will Network rail be able to insist on adequate protection from flooding?

Regards,

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From: [c2c@rail.net]
Sent: 11 March 2014 10:01
To: [c2c@rail.net]
Subject: Re: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

Dear

I confirm on behalf of c2c Rail Ltd that we have no objection to the proposed land disposal.

Kind regards,

c2cRailLimited, 2nd Floor, Cutlers Court, 115 Houndsditch, London EC3A 7BR

D:+44(0): www.c2c-online.co.uk

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From: [dft@rail.gov.uk]
Sent: 11 March 2014 16:42
To: [dft@rail.gov.uk]
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

Dear

I confirm that DfT has no comments on this proposal.

Thanks,

Department for Transport | Zones 3/11-19 Great Minster House | 33 Horseferry Road | London | SW1P 4DR
17. HS2 Ltd  
From: @hs2.org.uk  
Sent: 12 March 2014 15:25  
To:  
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014  
Dear  
Thank you for consulting HS2 Ltd on this matter, I confirm we have no comments to make on the proposed disposal.  
Kind regards,  
HS2 Ltd  
Tel: | Zone: H10 (2nd Floor) | Facebook | Twitter | LinkedIn  
High Speed Two (HS2) Limited, 2nd Floor, Eland House, Bressenden Place, London SW1E 5DU | www.hs2.org.uk

18. Northamptonshire County Council  
From: @northamptonshire.gov.uk  
Sent: 13 March 2014 13:50  
To:  
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014  
Dear  
Thank you for consulting the County Council on this matter.  
Having considered the matter we can see no reasonably foreseeable railway use for the land and therefore its disposal. However, this view does not include comment on any future development of the land and the County Council would make such comments as part of any formal planning process.  
Yours sincerely

19. BT Police  
From: @btp.pnn.police.uk  
Sent: 17 March 2014 08:43  
To:  
Subject: FW: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014  
I have made enquiries and have been advised that BTP have nothing else to add in relation to this.  
Kind regards,  
British Transport Police,  
25 Camden Road,  
London NW1 9LN  
Tel:  
Email: @btp.pnn.police.uk

From: @networkrail.co.uk  
Sent: 13 March 2014 15:10  
To:  
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014  
Hi  
I thank you for your e-mail together with the comments form xxxx.  
I confirm that the site is already fenced on the boundary with the railway cutting slope with palisade fencing and this is likely to remain in situ. Nonetheless, it is a condition of the development that suitable fencing (as approved by Network Rail) is present to prevent access by the residents of the development onto the railway.  
A noise and vibration assessment will support any planning application. An acoustic fence will be provided if it is required as a planning condition or the developer/Network Rail deems it necessary. I thank you for the offer of visiting the site to discuss further but this is not considered necessary.
Can you please confirm if BTP have any further comments on this proposal before the 4th April 2014? Thanks

From: @btp.pnn.police.uk
Sent: 13 March 2014 14:08
To: 
Subject: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Please see the below comments from xxxx, London North Area. Kind regards
British Transport Police,
25 Camden Road,
London NW1 9LN
Tel: 
Email: @btp.pnn.police.uk

From: 
Sent: 10 March 2014 09:44
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Dear All,
I have no problem with regard to the disposal of this land, but as it is likely to change from a Greenfield site to a housing estate, perimeter security of the ‘railway’ is crucial. Consideration for the erection of an ‘acoustic’ fence to dampen railway noise by the developer should be brought to mind.
I would be happy to visit the site with NR and or the developer to discuss the matter further.
Regards,
London North Area.

20. Association of Community Rail Partnerships
From: @btconnect.com
Sent: 31 March 2014 16:34
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Apologies for the late reply. ACoRP have no objection to this disposal.
Regards
Association of Community Rail Partnerships
T: 
M: 
E: @acorp.uk.com
W: www.acorp.uk.com

‘New Life For Local Lines’

21. Freight Transport Association
From: @fta.co.uk
Sent: 31 March 2014 20:10
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Apologies, FTA has no comment.

Freight Transport Association
Mobile: 07818 450353
www.fta.co.uk

22. Grand Central Railway Company Ltd
From: @grandcentralrail.com
Sent: 02 April 2014 08:54
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Thank you for your email.
GC has no comment on this particular proposal.
23. Northern Rail Ltd
   From: @northernrail.org
   Sent: 07 April 2014 12:21
   To:
   Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
   Dear Sir
   With reference to your emails. Northern Rail Ltd have no objections to the proposed disposal of land. Please accept my apologies for the delay in responding.
   Yours faithfully

24. West Coast Railway
   From: @aol.com
   Sent: 07 April 2014 12:27
   To:
   Subject: Re: FW: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal...
   no comments
   WCR
   T
   M
   E @aol.com

25. Colas Rail
   From: @colasrail.co.uk
   Sent: 07 April 2014 16:35
   To:
   Subject: Re: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
   No comment
   Regards
   ...........................................................................................................

26. DB Schenker Rail (UK) Ltd
   From: @dbschenker.com
   Sent: 08 April 2014 09:30
   To:
   Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
   I can confirm that DB Schenker has no objection to the proposed land disposal as described.
   Yours,
   DBSchenkerRail(UK)Ltd.
   2nd Floor, 310 Goswell Road
   London EC1V 7LW
   Tel:
   Fax:
   Mobile:
27. Virgin Trains
From: EXT:
Sent: 09April201409:30
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
No objections from Virgin Trains to this proposal.
Kind regards
1st Floor West, Meridian, 85 Smallbrook Queensway, Birmingham, B5 4HA
t: m: e: @virgintrains.co.uk

28. South Eastern Railway
From: @southeasternrailway.co.uk
Sent: 10April201409:45
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Southeastern have no comment on this proposal
Regards

29. Northampton Borough Council
From: @northampton.gov.uk
Sent: 23April201411:32
To:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
Ok I had misunderstood that hence the fact I had not replied to earlier emails!
The Guildhall
St Giles Square
Northampton NN11DE
Tel:
Email: @northampton.gov.uk
From: @networkrail.co.uk
Sent: 22April201417:04
To:
Cc:
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014
As you are aware a meeting with Northampton Borough Council took place earlier this year in respect of the site at Hunsbury Hill. I am also aware that your colleague xxxx has been in email contact with xxxx in respect of the pre application, which I understand will be forwarded to you shortly.
I have no objection to the proposed land disposal, although arguably that is an internal matter for Network Rail. As you are aware from the pre application meeting the principle of development in the form of residential development on the site was considered, in policy terms, to be acceptable in principle.
If I can be of any further assistance at this stage please let me know,
The Guildhall
St Giles Square
Northampton NN11DE
Tel:
Email: @northampton.gov.uk
From: @drsl.co.uk
Sent: 23 April 2014 10:31
To: 
Subject: RE: Northampton Hunsbury Hill - land off Hill Farm Rise - Proposed disposal of land deadline date 4th April 2014

Apologies for lateness of response, Direct rail services have no objections to the proposed land disposal at Northampton Hunsbury Hill, Hill farm rise. Regards
Direct Rail Services Limited
Kingmoor TMD
Etterby Road
Carlisle
CA3 9NZ