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<TownPlanningNWC@networkrail.co.uk>
Sent: 13 February 2024 11:34
To: Planning (HPBC)
Subject: high peak HPK/2023/0193 CONSTRUCTION OF THE MARSH LANE ENERGY STORAGE holding objection

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FAO Planning

Network Rail is submitting additional comments on this proposal. We have had email discussions with the developer – however, these appear not to have included inclusion of the LPA. In light of the developer comments we would respond to the LPA as follows:

The holding objection remains. The issues NR raised previously remain as the developer will need to provide far more detail than they currently have or are willing to share.

The objection regarding TTA1 BR127 Overbridge use remains; the NR asset protection eng has had a look at the TMP (Traffic Management Plan) and it appears all construction traffic intend to use this bridge (est. 435 movements or 5/day over 4mths) which currently has a 7.5t environmental weight limit and unfortunately is not in good condition, rated fair to poor, with poor being mostly the structural elements (2016 full exam), so using this bridge for HGV's, an 80t crane movements, and rigid HGV's etc needs to be avoided unless the developer has a solution which is acceptable to Network Rail. The weak bridge is not mentioned in the TMP.

The main risks; EMC (electro-magnetic) and Fire concerns remain as does the other issues like the new bund to hide the containers, surface water drainage, loadings on the cutting, tree planting and boundary treatments outwith the usual concerns of excavation/ ground works, piling TBC, ground movement, noise, dust etc in close proximity which can/ will be resolved by way of design/ delivery methodology going forward.

At this stage Network Rail cannot accept the proposal as is. Whilst we recognise the LPA have to determine proposals within a statutory deadline, NR would highlight that Network Rail are regulated by the Office of Rail Regulation (ORR) and are obligated under our Network Licence to ensure the safe and efficient operation of the Network to the reasonable satisfaction of railway service providers and funders.

Going forward the applicant must interface directly with the Network Rail asset protection team and submit required documentation to them for review & agreement.

Please note that whilst Network Rail (NR) is submitting responses via the planning application process, it should be born in mind by the LPA/developer that the operational railway presents risks/issues that are different/unique to the risks posed by works taking place adjacent to non-railway undertaker land. Works on this site therefore must be undertaken with the supervision of NR via the ASPRO (asset protection) team to ensure that the works on site do not impact the safe operation, stability, integrity of the railway & its boundary. The LPA/developer are advised that unauthorised works adjacent to the railway boundary could impact the operation of nationally significant infrastructure & the applicant would be liable for any and all damages & costs caused by any works undertaken in this scenario. Therefore, the developer is requested to ensure that the development meets with NR requirements for works/developments adjacent to the railway boundary which include planning material considerations as well as obligations specific to the railway undertaker. The interface is via a NR BAPA (basic asset protection agreement) – the developer is advised that the works must not commence on site (even if planning permission is granted) until agreed with NR. The applicant will be liable for all costs incurred by NR in facilitating, reviewing this proposal.

From

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