

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	
Site location and description	Leamington Spa, Warwickshire – Land off Station Approach to the rear of Stagecoach bus depot shown coloured blue on the Plan. The land is currently vacant and unused, although it is subject to a vehicular right of access for Network Rail leading to the railway at the western end of the Property.
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	Plan No. 66571-3 identifying the proposed sale (and purchase) area and indicative route of Network Rail's relocated vehicular access roadway.
Clearance Ref:	CR/23685
Project No.	S00059
Ordnance survey coordinates	431309E 265314N
Photographs (as required)	Aerial image attached
2. Proposal	
Type of disposal (i.e. lease / freehold sale)	Freehold sale of land coloured blue (and acquisition of land by Network Rail shown coloured pink and coloured pink hatched red)
Proposed party taking disposal	Waterloo Housing Group
Proposed use / scheme	Comprehensive residential led development by Waterloo Housing Group on their land and land currently owned by Stagecoach, Network Rail, Homes and Communities Agency (HCA) and Warwick District Council, comprising affordable and market housing, possible additional station parking and relocation of Stagecoach bus depot

Access arrangements to / from the disposal land	Access to the disposal land will be via Station Approach and new estate roadways to be built on the development site. Network Rail has an existing reserved right of vehicular access via Station Approach, through HCA's land and the Property to the railway. This access will be varied as part of the sale/development proposals to Network Rail's satisfaction. The indicative route of the access is shown via the new estate roadways edged red to a new dedicated railway access shown coloured green hatched brown and coloured pink hatched red on the attached Plan.
Replacement rail facilities (if appropriate)	Network Rail's existing vehicular access to the railway will be varied as outlined above.
Anticipated Rail benefits	<p>The disposal is conditional on (a) the purchaser transferring the freehold of part of their land to Network Rail shown coloured pink and coloured pink hatched red on the Plan. This Purchase area will allow the future provision of a new siding to serve the station, shown edged blue on the Plan (inc. 5.5 metre wide buffer/safe corridor) together with sufficient space for 25KV OLE masts in connection with future electrification and (b) the purchaser providing, to Network Rail's satisfaction, a varied dedicated vehicular access for Network Rail from Station Approach and new estate roadways, alongside the railway, to Network Rail's retained land to the west of the disposal area.</p> <p>The disposal would generate capital receipts for Network Rail which would be re-invested in the railway.</p>
Anticipated Non-rail benefits	The disposal will assist with the delivery of this important regeneration scheme. 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 this under utilised area of land. Such improvements will benefit the local community and businesses.
3. Timescales	
Comments on timescales	The disposal is conditional on planning consent for the proposed residential development. Conditional sale contracts are proposed to be exchanged in early 2015 with completion expected in mid-late 2015.

4. Railway Related Issues

<p>History of railway related use</p>	<p>The Property was previously used as sidings leading to the coal yard and former Avenue Road station. In the 1960's there was a rationalisation programme which saw the removal of the link to the old L&NWR lines and the closure of Avenue Road station in 1965 with removal of many sidings.</p> <p>Whilst a siding is still evident on part of the Property it was permanently closed from the railway network in 2003 following Network Change. The remaining area around the siding was part of the former coal/goods yard, which is also understood to have closed over 30 years ago. Indeed the majority of the former coal/goods yard to the east of the Property was transferred by Railtrack PLC to British Railways (Residuary) Board over 18 years ago and is subject to a Demarcation Agreement dated 4th March 1996 (now owned by the HCA).</p> <p>The Property is currently vacant and unused, although Network Rail does gain vehicular access through part to the railway.</p>
<p>When last used for railway related purposes</p>	<p>It is understood that the Property was used on a temporary basis for a railway related project a few years ago as a compound area.</p> <p>The siding was permanently closed from the network in 2003 following Network Change.</p>
<p>Any railway proposals affecting the site since that last relative use</p>	<p>A new siding is proposed to serve the station off the Coventry chord to improve capacity on the network. Network Rail is retaining sufficient land (and acquiring land from the Purchaser) for this siding and future electrification of the line to Coventry.</p>
<p>Impact on current railway related proposals</p>	<p>There are no foreseen adverse impacts on current railway related proposals. Indeed a condition of the disposal will result in the acquisition of land by Network Rail from the Purchaser for current (and future) railway use including the proposed new siding project and future electrification of the adjacent line.</p>

<p>Potential for future railway related use</p>	<p>The Property has no future railway use. The adjacent line is proposed for future electrification and a new siding but the Property is not required for such use. The disposal terms includes the acquisition of land required by Network Rail in connection with a new chord/siding serving the station and to allow for future electrification. There is no specific reference in the West Midlands and Chilterns Route Utilisation Strategy (RUS) to this Property.</p>
<p>Any closure or station change or network change related issues</p>	<p>No, the siding through the site has been permanently closed and does not form part of the network.</p>
<p>Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future</p>	<p>The Sale Contract will contain a condition requiring the purchaser to provide, to Network Rail's satisfaction, a varied dedicated vehicular access for Network Rail from Station Approach and the new estate roadways, alongside the railway, to Network Rail's retained land to the west of the disposal area. In addition Network Rail Maintenance has agreed that an area of land immediately to the west of the site will be retained by Network Rail for storage, parking and turning.</p>
<p>Position as regards safety / operational issues on severance of land from railway</p>	<p>The provision of a new dedicated vehicular access on part of Network Rail's land will be subject to the Purchaser entering into Network Rail's form of Asset Protection Agreement.</p> <p>The disposal includes arrangements under which the other party will install new boundary fencing along the railway boundary.</p> <p>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.</p>

5. Planning History and Land Contamination

<p>Planning permissions / Local Plan allocation (if applicable)</p>	<p>In conjunction with the adjoining HCA land, the Property is subject to a previous outline planning consent in 2010 (now expired) for erection of B1 office development, new access road and associated car parking and landscaping.</p> <p>The current Warwick District Local (1996-2011) is the key document for setting out the planning policies for the District. However, the District Council is preparing a new Local Plan which will guide the area's future development up to 2029. The "Publication Draft Local Plan" is currently out for consultation. The Property is a preferred location for accommodating anticipated housing growth and the Property is identified in the Strategic Housing Land Availability Assessment 2012 (SHLAA). The Property and adjoining development land is identified as available, suitable and achievable for residential development, although it is highlighted that the bus depot may need to be relocated to achieve a satisfactory residential environment.</p> <p>The Property forms part of the Station Area Planning and Development Brief (2008) which provides Supplementary Planning Guidance and indicates residential use of the Property and adjoining land north of the railway.</p>
<p>Contamination / Environmental Issues (if applicable)</p>	<p>None relevant to this application. No survey has been carried out but it is evident from the history that the Property was subject to previous railway related use.</p>

6. Consultations

<p>Railway (internal – Network Rail)</p>	<p>Business clearance (CR/23685) approved for the disposal on 4th September 2014 and for the Acquisition (CR/23687) on 5th September 2014. Technical clearance (CR/23685) approved for the disposal on 1st October 2014 with specific railway protective provisions/conditions.</p> <p>Meeting on site with Network Rail Maintenance to confirm railway requirements and ensure that a suitable alternative access to the railway is provided and sufficient land for storage, parking and turning. Internal discussions relating to the new siding project and the operational and land requirements to deliver the siding.</p>
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<p>Summary of position as regards external consultations</p>	<p>Pre consultation with Chiltern Railways over the proposed development and disposal. Initial holding objection and concern raised by Chiltern Railways on the basis that the Property could provide station parking should the existing car park (on Waterloo Housing site) be re-developed for housing. Chiltern Railways also highlighted that they leased 57 car parking spaces from Warwick District Council on Station Approach. Their concern was also over the potential loss of existing car parking for station customers due to the proposed development on Waterloo Housing land, which forms a public car park operated by Warwick District Council.</p> <p>Following further discussions Chiltern Railways has subsequently confirmed their agreement for Network Rail to proceed with the disposal, subject to formal regulatory approvals, and conditional on Network Rail and Chiltern Railways gaining planning consent and agreeing an option to lease the Travis Perkins site (south of the railway but west of the station) for additional station parking. Chiltern Railways has indicated that they will discuss the provision of station car parking on land north of the railway directly with Warwick District Council.</p> <p>The development proposals have been worked up following consultation between the Purchaser and landowners, including Network Rail and HCA and Warwick District Council over the comprehensive re-development of land to the north of the railway. The District Council is supportive of the principle of the proposed development.</p>
<p>Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward</p>	<p>N/A at this stage</p>
<p>7. Local Authorities</p>	
<p>Names & Email Addresses:</p>	<p>(with name and telephone numbers for any personal contact at authorities)</p>
<p>Local Transport Authorities:</p>	<p>Warwickshire County Council</p>
<p>Other Relevant Local Authorities:</p>	<p>Warwick District Council Royal Leamington Spa Town Council</p>

8. Internal Approval

Surveyor Name:	Robert Turner, Development Surveyor	
Approved by Property Development Manager	Name:	Date Approved by PDM: