

# 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	<p>The site, known as Heaton Down Yard (NE6 5BX), comprises 4.28 ha (10.58 acres) situated adjacent to Heaton, a traditional residential district some 3km North East of Newcastle City Centre. The area surrounding the site comprises established and new residential development.</p> <p>The site is leased in part to three business tenants. The two main parties no longer occupy the site and are in discussions to surrender their leasehold interests. The remaining party (Giraffe Building Services) occupies a small plot on an unsecured lease and are informed of the proposed plans to develop the site.</p> <p>The site has not been actively used as a freight site since the early 1990's.</p> <p>The remainder of the site is vacant and remains derelict, overgrown and unsightly. With the exception of a small industrial shed the majority of the site has been cleared of all structures.</p> <p>A recent Network Change exercise was undertaken. After extensive consultation network connectivity to the site was severed during 2017 (See Section 4).</p>
Plans attached: (all site plans should be in JPEG format, numbered and should clearly show the sites location approximate to the railway)	<p>The following documents are attached in Appendix 1</p> <ul style="list-style-type: none"> <li>a) Site Plan (Plan Number 5955841)</li> <li>b) Aerial View</li> <li>c) Location Plan</li> </ul> <p>N.B. The boundaries set out on the aerial plan are for illustrative purposes only</p>
Clearance Ref:	<p>Business: CR/23546 (Certificate number: 38336) Dated 16.09.16</p> <p>Technical: CR/23546 (Certificate number: 38662) Dated 18.10.16.</p>
Project No.	S00926
Ordnance survey coordinates	<p>Easting (X) – 427 513</p> <p>Northing (Y) – 565 606</p> <p>Map Ref: NZ274655</p>
Details of attached	Photo IMG00995 – taken from the centre of the site looking west

photographs (as required)	Photo IMG00996 – taken from Marleen Avenue entrance. Photo IMG01002– from the centre of the site looking north west
<b>2. Proposal</b>	
Type of disposal	Freehold or Long Leasehold in excess of 125 years. This will be subject to future negotiations as part of the disposal process.
Proposed party taking disposal	To be confirmed. This will either be through Network Rail's Joint Venture (blocwork) or a suitable developer appointed by way of an open market competitive process.
Proposed use / scheme	Residential (Use Class C3), which may include student accommodation, sheltered or care home use alongside ancillary car parking. There is potential for retail to be included within the scheme.
Access arrangements to / from the disposal land	The principal access to the development site will be taken off Hartford Street with the secondary access off Marleen Avenue both of which are adopted highways. Future vehicular and pedestrian access across the site to the line side will be reserved for Network Rail use.
Replacement rail facilities (if appropriate)	None. The site has been derelict since the 1990s. Network Rail and consultees consider there is no reasonable likelihood of the site being used for railway purposes having regard to town planning constraints, highway constraints and changes in the volume and pattern of rail freight uses and the practical considerations of accommodating such uses on site. Future development will allow for access to be retained to the line side.
Anticipated rail benefits	Release of the site will contribute directly to investment in the rail network through the release of capital receipts which will be used to fund rail improvements.
Anticipated non-rail benefits	The proposed residential development will greatly enhance the built environment by facilitating development and removing an unsightly, dilapidated and poor quality site. Delivery of residential units will accord with the Government, Network Rail and Local Authority's strategic objectives to encourage redevelopment of brownfield / publicly owned sites for residential use.

### 3. Timescales

Comments on timescales

Earliest possible disposal is anticipated from the first part of 2019 onwards.

### 4. Railway Related Issues

History of railway related use

The last rail related use was in 1990s when it was used as a depot for rail freight.

The majority of the sidings and the building have since been removed. The north eastern part of the site has been leased to Blue Circle Ltd since 1964. The southern part of the site has been leased to Balfour Beatty Group Ltd since 2003. Both tenants no longer occupy the site and are in discussions to surrender their interests.

The site was subject to a separate external consultation exercise to enable a Network Change (Ref NC/G1/2015/LNE/014A) secured on the 31 August 2017. Subsequently (as a consequence of no future rail use) the site was disconnected at ELR: ECM7 2m 30Ch to 2m 70 ch.k.

When last used for railway related purposes

It is understood not to have been used for railway purposes for at least 20 years.

Any railway proposals affecting the site since that last relative use

None. Network Rail's System Operator team has been consulted and confirm they have no objections.

Impact on current railway related proposals

Network Rail's System Operator confirms a disposal does not impact upon any rail related proposals. The site was subject to consultation with the rail industry as part of successful Network Change process, which determined there was no anticipated future rail use. As such the release of the site for development will not impact upon the provision of any rail related proposals.

Potential for future railway related use	<p>There is no reference to Heaton Down Yard within the ECML RUS and the ECML was recently the subject of a Route Study which also made no reference to Heaton Down Yard. The future use of the site has also been considered in detail by Network Rail as part of discussions with the freight companies to successfully remove the site from its Strategic Freight listing.</p> <p>In response to the DfT's concerns over future stabling and depot requirements in the NE (and the impact upon HS2) System Operator (working in conjunction with DfT) reviewed all sites within the vicinity that may be suitable candidates for future stabling and depot requirements. The study concluded that Heaton Down Yard was not preferable and there was a suitable supply of alternative sites better suited to accommodating any future stabling requirements.</p> <p>It is therefore considered that there is no potential for future railway use over and above the current designated use.</p>
Any closure or station change or network change related issues	<p>Network Change (Ref NC/G1/2015/LNE/014A) was approved on the 31 August 2017.</p> <p>No Network Change or Station Change is required.</p>
Whether disposal affects any railway (including train operator) related access needs, and how these are to be addressed in future	<p>Future access will be required to gain entry to the rail line along the track adjoining the boundary with Hartford Court. This right will be reserved and incorporated into any development. In accordance with the Clearance conditions all access requirements will be determined directly with the appropriate Maintenance Delivery Unit to include the ability for Network Rail vehicles to drive all the way up the DN side.</p>
Position as regards safety / operational issues on severance of land from railway	<p>Disposal will be subject to, and in accordance with, the conditions set out within the relevant Technical Clearance to safeguard operational issues and ensure safety issues are addressed.</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

Planning permissions / Local Plan allocation (if applicable)	The proposed development for residential use accords with planning policy and the local authority's strategic objectives. The local planning authority is keen to encourage the redevelopment of brownfield sites due to the pressures placed upon the Green Belt. It will also remove an unsightly area that blights the locality. Due to the site's connectivity, proximity to public transport and brownfield credentials it accords with sustainable development principles. The site has been formally identified within the Local Planning Authority's Housing and Economic Land Availability Assessments Register (HELAA) as a suitable development opportunity.
Contamination / Environmental Issues (if applicable)	An intrusive site investigation will be undertaken by any selected purchaser or developer. Levels of contamination are considered to be low and there are no known environmental issues

## 6. Local Authorities

Names & Email Addresses:	Assistant Director Planning – <a href="mailto:planning@newcastle.gov.uk">Newcastle City Council @newcastle.gov.uk</a>
Local Transport Authorities:	Highways & Transport - Newcastle City Council <a href="mailto:highways@newcastle.gov.uk">@newcastle.gov.uk</a> Tyne & Wear Passenger Transport Executive (Nexus) <a href="mailto:nexus@nexus.org.uk">@nexus.org.uk</a>
Other Relevant Local Authorities:	N/A as Newcastle is a Unitary Authority

## 7. Internal approval to consult

Recommendation:	Based on the above, I recommend that Network Rail consults on the terms of disposal
Declaration:	I have read and understood Network Rail's code of Business Ethics and Policy on Interests in Transactions

Proposer's name:	Proposer's job title: Development Surveyor
Signed	Date 16 January 2018
Authorised by (name):	Authoriser's job title: Principal Development Manager
Signed	Date 18 January 2018

## 8. Consultations

Internal consultation	Business & Technical Clearance was completed in 2014 and then recirculated and completed in 2016. There are no specific issues to address.
Summary of position as regards external consultations	<p>The consultation exercise involved 33 external parties. Only 1 party has failed to respond namely First Scotrail Limited (Consultee 10) despite being contacted on 3 separate occasions to respond.</p> <p>However the lack of response from First Scotrail Limited (10) is considered immaterial as this Operator has no specific rail interests in the Heaton area.</p> <p>There were two objections. These were raised by the Department for Transport (DfT) (Consultee 1) and Trans Pennine Express (TPE) (Consultee 14).</p> <p>The DfT were concerned over the impact the loss of the site might have upon future stabling requirements in the north east and the impact upon the delivery of HS2. To resolve matters Network Rails System Operator worked closely with DfT by analysing (using technical data supplied by DfT) all available sites within the Newcastle vicinity which may be suitable for future stabling and depot requirements. The study concluded that Heaton Down Yard was not preferable and there was a sufficient supply of alternative sites better suited to accommodating any future stabling requirements. On reviewing the study DfT agreed and therefore removed their objection. TPE (14) had also raised concerns over future stabling requirements; however, following constructive dialogue they too subsequently agreed to remove their objection.</p>

Analysis of any unresolved objections together with recommendation by Network Rail as regards a way forward	None. Both objections were resolved through dialogue and agreement.	
<b>9. Internal approval to dispose</b>		
Recommendation:	Based on the above, I recommend that Network Rail proceeds with the disposal	
Declaration:	I have read and understood Network Rail's code of Business Ethics and Policy on Interests in Transactions	
Proposer's name:		Proposer's job title: Development Surveyor
Signed		Date 20 July 2018
Authorised by (name):		Authoriser's job title: Principal Development Manager
Signed		Date 20 <sup>th</sup> July 2018