

From: Planning
Subject: FW: Network Rail Comments 3/2026/0315 Chatburn Rd Clitheroe

From: Diane Clarke <
Sent: 04 June 2026 13:08
To: Jane Tucker <
Subject: ribble valley 3/2026/0315 Chatburn Rd Clitheroe 39 dwellings railway comments

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Planning Application No: 3/2026/0315 Grid Ref: 375365 443101 Proposal: Residential development of 39 dwellings with associated landscaping, car parking and access. Location: Land off Chatburn Road Clitheroe BB7 4JX

Jane

Network Rail notes the above proposal, whilst not directly adjacent to the railway we note the following:

1. The proposal drainage plan refers to discharge of surface waters "Surface water will discharge into a wetland area. It will pass through this area before discharging into the existing on site watercourse." The applicant is advised that no surface waters from the development are to discharge into or towards the railway. Any discharge would be by agreement with NR which the applicant cannot assume would be forthcoming.
2. The applicant is to ensure that they agree with the LPA Noise & Vibration mitigation measures that take into account the existing operational railway to the north (the railway can operate 24/7, 365 including bank holidays, weekends, maintenance works and project works at night).
3. NR notes that West Bradford Rd Level Crossing is to the NW of the proposed development area. This proposal has been referred to the NR Level Crossings Manager for the area for review & comment, we will respond shortly on this matter.
4. Further asset protection comments may also be submitted in addition to those contained here.

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.

For future reference, it is imperative developers/applicants consult neighbouring/affected statutory undertakers in advance of any construction work, to identify and mitigate potential risks to both sites including people using or working on the sites, in line with CDM 2015 and HSW 1974 legislation. Network Rail's ASPRO (Asset Protection) team's role is to support external parties in identifying risks associated with construction near the railway and mitigating these in advance of work starting. Most insurance policies include clauses relating to consultation with statutory undertakers, and external parties who do not consult appropriately in advance may find their insurance policy becomes invalid.

Measurements to railway tracks and railway boundary

When designing proposals, the developer and council are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones, vegetation) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and **requests** conditions to protect the railway and its boundary.

Obligations

Properties adjoining or in the vicinity of the railway are frequently the subject of obligations, rights, exceptions and reservations for the benefit of Network Rail's land and railway. The applicant must review the title to their property to see whether any such obligations etc exist and ensure that there is no non-compliance or breaches of them or any interference with or obstruction of Network Rail's rights and reservations. If the proposed development would not comply with or would breach any of the terms of the conveyance, the developer must revise his proposals.

From

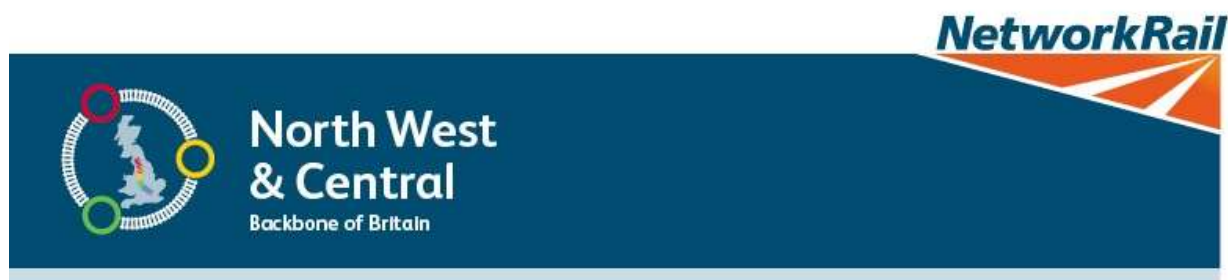
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