Outlook

PA/2025/292 - Land to the East of Scawby Road (B1206), Scawby Brook, BRIGG

From Aaron Walsh [redacted]
on behalf of
Town Planning LNE <[redacted]>
Date Fri 08/08/2025 15:07
To Planning <Planning@northlincs.gov.uk>

2 attachments (149 KB)
Standard Informatives.pdf; Standard Drainage Requirements.pdf;

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Network Rail Consultation Response

FAO:	Jennifer Ashworth
Date:	08/08/2025
Application reference:	PA/2025/292
Proposal:	Planning application for the construction and operation of a photovoltaic solar array, a battery energy storage system ('BESS'), associated access and infrastructure
Location:	Land to the East of Scawby Road (B1206), Scawby Brook, BRIGG

Thank you for your recent correspondence relating to the above application.

Network rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.

Following assessment of the details provided to support the above application, Network Rail has **no objection in principle to the development**, but below are some requirements which must be met.

Hilbaldstow Level Crossing

The safety of railway level crossings and all crossing users is of paramount importance to us, and we would have concerns over any proposals that may increase the usage or risk of a railway crossing. In this instance, the proposed development is located near Hilbaldstow Level Crossing, which is an automatic half barrier (AHB) crossing. When activated by an approaching train, the closure sequence begins, and a train arrives within

approximately 34 seconds. The B1206 highway, which intersects the crossing, is subject to the national speed limit and carries around 6,000 vehicles per day, including approximately 115 HGVs.

We understand that an existing field access, south of the crossing, is to be modified and used during the construction phase. This raises concerns regarding the safety and operation of Hilbaldstow Level Crossing, particularly as the access point lies within 30 metres of the crossing's stop line. This proximity presents a risk of impatient road users overtaking near or on the crossing, especially given the presence of a solid white centre line.

It is noted that construction activities are expected to take place Monday to Saturday, with abnormal loads delivered on Sundays. We are keen to ensure that these activities do not compromise the safe operation of the crossing. All vehicle movements, particularly deliveries, must be carefully planned to avoid any risk of vehicles blocking or backing over the crossing at any time. Network Rail requests that the applicant engage with our Asset Protection Team (contact details below) to agree a strategy for protecting railway assets from potential damage caused by abnormal loads/construction traffic. This would include a Level Crossing Brief, outlining safe working methods for large or slow-moving vehicles using the crossing, in accordance with highway restrictions.

Additionally, it is imperative that the parking layby areas on both approaches to the crossing, which are designated for contacting Brigg Signal Box, are not used at any time for construction or staff parking.

Works in Proximity to the Operational Railway Environment

Battery Energy Storage System

In response to the proposed development of a Battery Energy Storage System (BESS) site, although we would expect the design and operation of the scheme to meet safety requirements and regulations, Network Rail requires a clear and detailed plan from the applicant on how major incidents will be managed. It is crucial that Network Rail is notified directly by the operator, particularly in situations where we may need to turn off power during a fire. Should the council be minded to grant permission for this application, we will require the developer to work closely with our Asset Protection Team (ASPRO) to ensure the safety of the operational railway including the development of a process for the management of any major incident at the BESS in relation to railway operations.

Underground Cabling

It should be noted that any requirement for underground Cabling (in the form of Horizontal Directional Drilling) to be installed through operational railway land, must be agreed with Network Rail in advance. The developer will be required to enter into the necessary licences and agreements with Network Rail in order to carry out such work and operate the connection. Further details can found via the following link https://property.networkrail.co.uk/land-and-station-opportunities/utilities-infrastructure/. If they have not done so already, they should contact our Easements and Wayleaves Team (easements&wayleaves@networkrail.co.uk) and Asset Protection Team to start these discussions and reach agreement.

Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed may include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works. We would also like to advise that where any damage, injury or delay to the rail network is caused by construction works or future maintenance (related to the application site), the applicant or developer will incur full liability. This could also include police investigation as it is a criminal offence to endanger the railway or obstruct the passage of rail traffic. It should also be noted that any damage that requires a line closure or repairs can result in costs which could exceed hundreds of thousands of pounds.

All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal (ASPRO Network Rail Implementation (oraclecloud.com)). From there, the outside party can create an account and submit their enquiry. The enquiry will then be assigned to one of the Asset Protection team to progress. Alternative contact details for Asset Protection are supplied below and **we would draw the developers' attention to the attached guidance on Network Rail requirements.**

The application must be supported by a site-specific Construction Methodology should it not possible to satisfy Network Rail's requirements recommended in the attached. The council should satisfy itself, without consulting Network Rail, that there are good reasons why the recommended requirements cannot be adhered to.

Drainage
It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. **Please note, further detail on Network Rail requirements relating to drainage and works in proximity to the railway infrastructure is attached for your reference.**

Condition
We expect a condition regarding the disposal of surface water to be included as part of any consent.

Boundary Treatments, Landscaping and Lighting

Landscaping
It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be position at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

Acceptable:
Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees – Pines (Pinus), Hawthorn (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina"

Not Acceptable:
Acer (Acer pseudoplantanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

Condition
Landscaping detail should be submitted to the Local Planning Authority and approved in conjunction with Network Rail.

Lighting
Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the

signalling arrangements on the railway.

Condition
Detail of any external lighting should be provided to the Local Planning Authority to be approved in conjunction with Network Rail.

Additional Requirements

Glint and Glare
We note that the developer has provided a solar glare assessment assessing railway impacts in support of their application. However, the report itself highlights potential for glare on the railway, which raises concerns regarding the impact on the safety of operations on the adjacent railway, particularly in terms of signal sighting and driver distraction. To mitigate these affects, we appreciate that screening measures are proposed to reduce visibility from rail receptors, specifically through the planting and infilling of native hedgerows along the relevant boundaries.

While the Glint and Glare study suggests that vegetation screening will reduce the impact on rail receptors to "none," it is our experience that vegetation does not provide a consistent or solid barrier. Density can vary seasonally, particularly during winter months, and hedgerows require time to establish before becoming effective. Therefore, we would require a suitably worded planning condition to ensure that mitigation measures are properly implemented and maintained. Furthermore, we request that Network Rail be consulted on the design and delivery of the screening strategy to ensure it adequately protects railway operations.

Secondly, we require the inclusion of the following monitoring condition to ensure that any glint and glare issues that may arise during the initial operation of the site are addressed and suitably mitigated by the developer;

Standard monitoring condition:

Within 24 months of the completion and commencement of operations of the development hereby approved (such a date as to be notified to the LPA) in the event of any complaint to the Council from Network Rail relating to signal sighting safety or driver distraction, upon notification to the LPA, the applicant or operator of the solar farm shall as soon as possible and not later than 28 days, submit for approval to the Council details of a scheme of remedial measures to address the concerns raised with details of a timescale for implementation of the works. The works shall be carried out in accordance with the approved details and timetable.

Reason for above conditions:
The safety, operational needs and integrity of the railway.

Informatives:
Please see attached standard railway requirements to be included as informatives.

Conclusion
Thank you again for the opportunity to comment on the proposed scheme. We trust that the above will be given due consideration in determining the application and if you have any enquiries in relation to the above, please contact us at townplanninglne@networkrail.co.uk.

Useful Network Rail contacts;

Asset Protection Eastern
For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.

Land Information

For enquiries relating to land ownership enquiries, please email landinformation@networkrail.co.uk.

Property Services

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email propertyserviceslneem@networkrail.co.uk.

Kind Regards,

Aaron Walsh
Town Planning Technician
Network Rail Land & Property (Eastern)
George Stephenson House, Toft Green, York, YO1 6JT

Standard Drainage Requirements

We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to be **below** existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be **above** existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets
The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area
There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.
No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.
There must be no interfering with existing drainage assets/systems without Network Rail's written permission.
The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Asset Protection (assetprotectioneastern@networkrail.co.uk) for further information and assistance.

Network Rail Standard Informatives

Please note, not all of these requirements may be applicable to this development

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 4.0m of the railway boundary.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Excavations/Earthworks/Underground Workings

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Asset Protection.

Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may be affecting underground workings next to the railway, consultation with the Asset Protection Engineer and the Network Rail Principal Mining Engineer should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Interface Manager.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Interface Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works. Where the works have the potential to introduce ground movements, Network Rail may require the monitoring of track and other assets, the works shall only be carried out in accordance with the approved method statement and design.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence and has the potential to collapse within 4 meters of the Network Rail boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. Approval of the method statement and design must be obtained from Network Rail's Asset Protection Engineer.

Bridge Strikes
Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Interface Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Abnormal Loads
From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Interface Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Two Metre Boundary
Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

ENCROACHMENT
The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to the Railway
All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.