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London
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Nicholas Swalwell

Property

Date :25-07-2023

CR/57757 (Certificate number : 70935)

CERTIFICATE OF APPROVAL FOR STAGE 1 (BUSINESS) CLEARANCE (Commercial)

Promoter reference number: BEW - A29 - Shared Value 2/2
Location/Nearest Station: Barnham
Territory: Southern
Site Name: BEW - A29 - Shared Value 2/2
Site Description: 2 of 2 joined Clearances due to 400m limit. See Clearance CR/57752.
Track Link : 9001102479 - TBH2 - 1100 + Track Link : 9001103501 - TBH2 - 2100
Section of track to West of Barnham Station. NR assets impacted on this Clearance include: an existing underpass structure (believed to be possibly agricultural), and an existing level crossing - West Barnham Level Crossing (believed to be public RoW). Clearance to be read in conjunction with 2 of 2 joined Clearance. See Clearance CR/57752.
Proposed Use: 2 of 2 joined Clearances due to 400m limit. Please see Clearance CR/57752 in conjunction. ASPRO lead: Shatam Bose. Large strategic sites to North and South allocated for 4,000+ homes. Outside party wishes to undertake multiple actions on this section of track. Southern Property leading on Shared Value discussions. Those covered in this Clearance include:- Upgrading works to existing underpass structure, including cosmetic and possible structural improvements. Public right of way will be redirected from closed West Barnham Level Crossing once operational. Asset is to provide pedestrian/cycle access under railway. - Closing of existing West Barnham Level Crossing (believed to be public RoW) to improve safety with any new development. PRoW to be redirected over NR as per above. Further technical details to be provided in Tech. Clearance and by ASPRO. Work are not imminent and subject to Planning + commercial negotiations.
National Grid Reference: 495373 , 104351
ELR Mileage: TBH2 22.1191
Type of Clearance: Commercial - Development
Time Frame: Valid until 21-JUL-2025

Approved with the following conditions/ comments from Business Clearance Stakeholder/s (In issuing some certificates there may be no comments or conditions) :

1. Agnieszka Duleba of Engineering :

Examination of Network Rail records has not identified any mining, dissolution or landfill issues at this site.

2. Loraine Simpson of Property :

ORR LC17 Condition:

Please note that if this proposal falls within the scope of ORR Licence Condition 17 for disposals of Network Rail property, ORR consent may be required. Please contact the Clearance Team if further information is required or refer to Connect: <https://networkrail.sharepoint.com/sites/nrmyconnect-property/SitePages/land-disposal.aspx>

Standard Access Condition:

On Behalf of Commercial Estate: If the clearance is in respect of or includes a grant of an access then consideration should be given to specifying terms to lessen the risk of vehicle incursion to trackside, not only in relation to the clearance area itself but also to the applicant's adjoining ownership.

Standard Safety Condition:

This certificate, in itself, does NOT provide permission for any party to access Network Rail land and does NOT permit any works to be carried out on Network Rail land. Entering Network Rail land without completion of a separate formal contract signed by Network Rail compromises safety and will be treated as a trespass.

Technical Clearance

Technical Clearance must be submitted within 6 months from the date of this certificate in accordance with the Clearance Process.

Promoters Responsibility

In accordance with the Property Clearance Process NR/L2/PRO/001: The Promoter IS responsible for making sure that the conditions are complied with for both Business and/or Technical Clearances.

3. Loraine Simpson of Property :

On behalf of Mark Huband, Route Asset Manager [Civils Structures]: CONDITION - I withdraw my objection to CR/57752 & CR/57757 and approve both subject to an agreement being put in place that any additional costs that Network Rail incur as a result of a public footpath being created under structure No 475, TBH2 in examining, maintaining or renewing the same structure are recoverable from the development estate.

This certificate is the **first step** to an agreement in principle to the proposed use of the footprint of land for a Commercial - Business Clearance. The **next step** is to obtain Technical Clearance, which can only follow on from a Business Clearance Approval. Business Clearance stakeholders that have been consulted are as follows - Property - National Mining Engineer - Freight Management - NDS - FTN/GSM-R - Operations and Customer Service - Network Development - Investment Projects - Planning.

NOTES:

Business Clearance does not cover Buried Services/ Technical Clearance/Environmental Consultation with Operational Technical Colleagues. Where an easement is found to be partially affected by a proposed disposal, the disposal is to be subject to the existence of the easement for which there will be no appointment for easement rent.

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Yours Sincerely

Loraine Simpson
Network Rail Clearance Team