

FW: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

Joshua Ambrus <Joshua.Ambrus@rapleys.com>

Tue 09/01/24 2:55 PM

To: Steven Mccoombe <steven.mccoombe@manchester.gov.uk>

Hi Steve,

Please see below confirmation from Network Rail in relation to the BAPA. Please let me know if you require anything further on this?

Kind regards,
Josh

Joshua Ambrus

MPLAN MRTPI

Associate

Planning

[07467 955284](tel:07467955284)

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From: Marlon Lannaman <Marlon.Lannaman@networkrail.co.uk>

Sent: Tuesday, January 9, 2024 2:49 PM

To: Joshua Ambrus <Joshua.Ambrus@rapleys.com>

Subject: Re: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

OFFICIAL

Hi Josh

Apologies, just got away from me at the end of last year.

As discussed the associated works fall within the area referenced in the original BAPA and therefore are included in the schedule of works which reference the development as a whole.

I am happy that no further amendments are required and the BAPA in its current form is still applicable.

Many thanks
Marlon

Sent from [Outlook for iOS](#)

From: Joshua Ambrus <Joshua.Ambrus@rapleys.com>

Sent: Tuesday, January 9, 2024 2:45:38 PM

To: Marlon Lannaman <Marlon.Lannaman@networkrail.co.uk>

Subject: RE: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

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OFFICIAL

Hi Marlon,

Further to our conversation in December, are you able to confirm that the exiting BAPA agreement with Lidl would be suitable to cover the demolition of unit 9 at the above site?

I would be grateful if you could please confirm so I can provide this to the case officer dealing with the application.

Kind regards,
Josh

Joshua Ambrus

MPLAN MRTPI

Associate

Planning

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From: Joshua Ambrus

Sent: Wednesday, January 3, 2024 11:39 AM

To: Marlon Lannaman <marlon.lannaman@networkrail.co.uk>

Subject: RE: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

Hi Marlon,

Happy New Year, hope you had a good break.

Further to our discussion a few weeks ago, please could you provide confirmation that the existing BAPA would be suitable to cover the demolition of unit 9 at the above site?

Kind regards,
Josh

Joshua Ambrus

MPLAN MRTPI

Associate

Planning

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From: Joshua Ambrus

Sent: Thursday, December 14, 2023 3:39 PM

To: Marlon Lannaman <marlon.lannaman@networkrail.co.uk>

Subject: RE: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

Hi Marlon,

Thanks for your time just now.

As discussed, please could you provide confirmation that the existing BAPA would be suitable to cover the demolition of unit 9?

Kind regards,
Josh

Joshua Ambrus
MPLAN MRTPI
Associate
Planning
[07467 955284](tel:07467955284)

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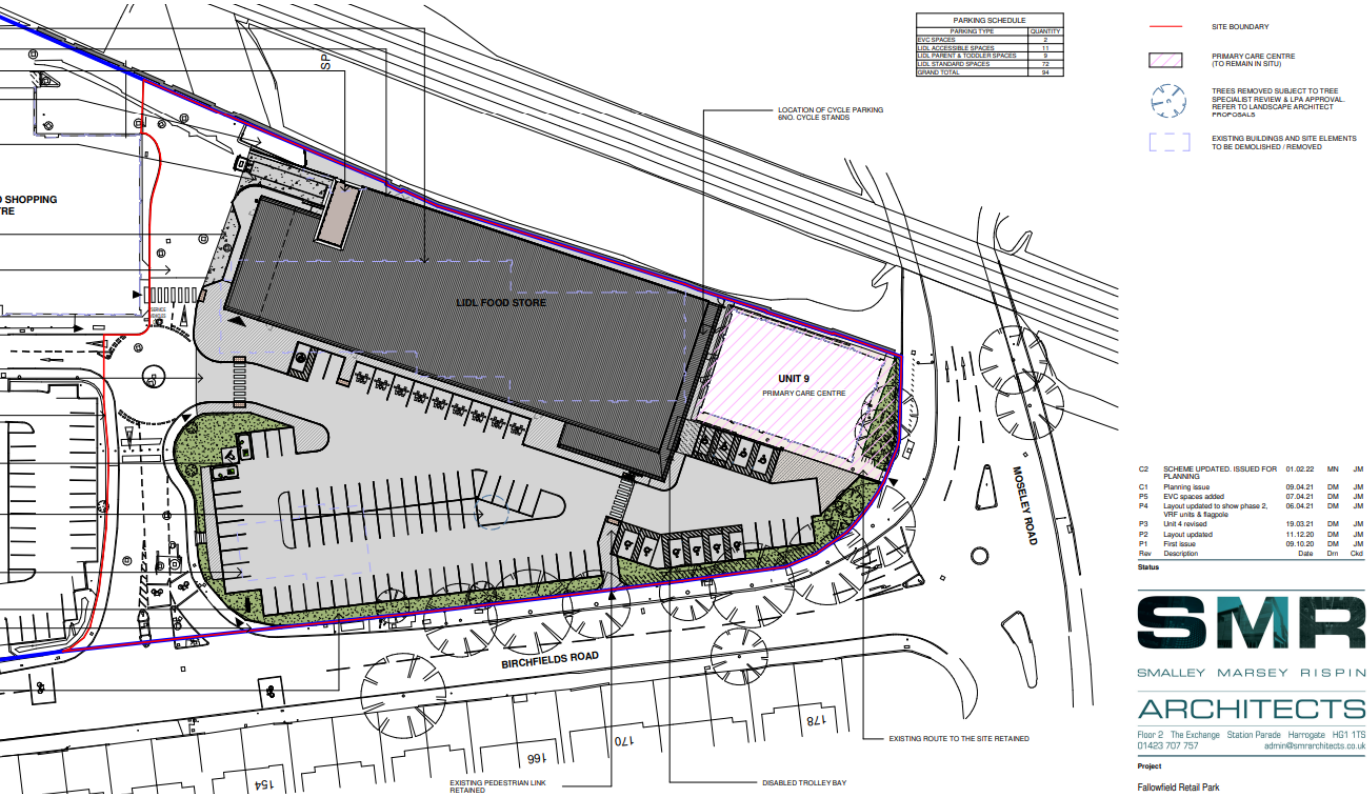


From: Joshua Ambrus <Joshua.Ambrus@rapleys.com>
Sent: Monday, December 11, 2023 3:04 PM
To: Marlon Lannaman <Marlon.Lannaman@networkrail.co.uk>
Subject: RE: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

Hi Marlon,

Thanks for your email.

Please find attached a proposed demolition plan which indicates the proposed unit to be demolished under the above planning application. Please also see below (and attached) from the approved (130189/FO/2021) site layout plan which indicates the position of the medical centre (unit 9) within the red line boundary.



I hope this assists but please let me know if you require anything further.

Kind regards,
Josh

Joshua Ambrus

MPLAN MRTPI

Associate

Planning

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From: Marlon Lannaman <Marlon.Lannaman@networkrail.co.uk>

Sent: Monday, December 11, 2023 2:30 PM

To: Joshua Ambrus <Joshua.Ambrus@rapleys.com>

Subject: RE: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

OFFICIAL

Hi Josh

Please can you provide a site plan indicating the position of the build in relation to the overall site plan for the Lidl development, this will help me establish if it is covered by the BAPA.

I will provide an informed response accordingly.

Many thanks

Marlon Lannaman

Construction Manager

Asset Protection

Network Rail

Square One | 4 Travis Street | Manchester | M1 2NY

07701 060 738

Marlon.lannaman@networkrail.co.uk

From: Joshua Ambrus <Joshua.Ambrus@rapleys.com>

Sent: 06 December 2023 16:02

To: Marlon Lannaman <Marlon.Lannaman@networkrail.co.uk>

Subject: RE: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

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OFFICIAL

Good afternoon Marlon,

Have you had an opportunity to review my email below, and can you advise?

I would be grateful if you could advise so we can provide an update to the Case Officer determining the above application.

Kind regards,
Josh

Joshua Ambrus

MPLAN MRTPI

Associate

Planning

[07467 955284](tel:07467955284)

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From: Joshua Ambrus

Sent: Thursday, November 30, 2023 11:36 AM

To: Marlon Lannaman <marlon.lannaman@networkrail.co.uk>

Subject: FW: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

Good Morning Marlon,

I hope you are well.

You were previously involved in agreeing a BAPA with Lidl in relation to planning application ref. 130189/FO/2021 at Fallowfield Retail Park. We have recently submitted a Prior Notification of Demolition application for Unit 9 at the Centre (application ref. 138593/DEM/2023). For this application, a request for a BAPA to be agreed has been received via the Case Officer.

The Client has queried whether the BAPA which has already been agreed for the main application (130189/FO/2021) would be sufficient for the prior approval application? The red line boundary of application ref 130189/FO/2021 included Unit 9.

I would be grateful if you could advise on this point.

Thanks in advance.

Kind regards,
Josh

Joshua Ambrus

MPLAN MRTPI

Associate

Planning

[07467 955284](tel:07467955284)

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From: Steven Mccoombe <steven.mccoombe@manchester.gov.uk>

Sent: 22 November 2023 12:24

To: Joshua Ambrus <Joshua.Ambrus@rapleys.com>

Subject: Fw: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

Josh

Please see below for a response and action in relation to the above application.

Thanks

Steve McCoombe
Senior Planner
Development Management North
Planning Building Control and Licensing - Growth and Development
Manchester City Council

Tel: 0161 234 4607

Email: steven.mccoombe@manchester.gov.uk
www.manchester.gov.uk

From: Diane Clarke <Diane.CLARKE@networkrail.co.uk> on behalf of Town Planning NWC
<TownPlanningNWC@networkrail.co.uk>

Sent: 22 November 2023 12:10 PM

To: Steven Mccoombe <steven.mccoombe@manchester.gov.uk>

Subject: manchester 138593/DEM/2023 Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre Prior Approval for demolition of unit 9

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OFFICIAL

Application number: 138593/DEM/2023

Proposal: Prior Approval for demolition of unit 9

Location: Hawthorn Medical Centre, Unit K, Fallowfield Shopping Centre, Birchfields Road, Manchester, M14 6FS,

Applicant: N/A, Lidl Great Britain Limited

Steven

The unit is very close to the railway boundary so the proposal will require agreement – supervision – interface with Network Rail in addition to any planning consent.

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.

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.

RAMS

The developer is to submit directly to Network Rail asset protection, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

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 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. 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 Network Rail prior to implementation.

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 land 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 air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.
- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- Buildings, windows and structures must not over-sail Network Rail air-space/boundary.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Rainwater goods must not discharge towards or over the railway boundary
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail

reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.

- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Demolition

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building(s), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Review of the method statement will be undertaken by the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service.

BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a **BAPA** (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

All new enquiries will need to be submitted via the *Asset Protection and Optimisation - Customer Portal*

Link to ASPRO ACE Portal [ASPRO Network Rail Implementation \(oraclecloud.com\)](https://oraclecloud.com/ASPRO/NetworkRailImplementation)

From there, the client can create an account and submit their enquiry. Enquiry will then be assigned to one of the Asset Protection team to progress. The assigned team member will then be in a position to review and comment on any submissions from the outside party.

No works are to commence until with agreed Network Rail. Early engagement with Network Rail is strongly recommended.

From

Diane Clarke
Town Planning Technician NW&C
AssocRTPI
Network Rail
Email: TownPlanningNWC@networkrail.co.uk

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