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OFFICE of  
RAIL REGULATION

Company Secretary  
Network Rail Infrastructure Limited  
40 Melton Street  
London  
NW1 2EE

8 October 2004

**NETWORK LICENCE CONDITION 26: DISPOSAL OF LAND – EAST DIDSBURY STATION, GREATER MANCHESTER – DIRECTION NOT TO PROCEED WITH DISPOSAL**

1. Network Rail Infrastructure Limited (Network Rail), has given notice of its intention to dispose of land adjacent to East Didsbury station, Greater Manchester (the land), in accordance with paragraph 2 of Condition 26 of its network licence. The land is more particularly described in its submission of 22 June 2004, a copy of which is attached (the submission).
2. The Office of Rail Regulation has considered the submission and further information supplied by Network Rail and responses received from industry third parties consulted as part of its decision-making process.
3. For the purposes of Condition 26 of Network Rail's network licence, the Office of Rail Regulation directs Network Rail not to proceed with the disposal of the land. Network Rail is entitled to be compensated appropriately for the loss of value (if any) as a result of the Office of Rail Regulation issuing this direction.

Signed on behalf of the Office of Rail Regulation by

**ANDREW BURGESS**  
Head of Network Regulation

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## PROPOSED PROPERTY DISPOSAL

### APPLICATION BY NETWORK RAILTRACK PLC FOR REGULATORY CONSENT UNDER CONDITION 26 OF NETWORK LICENCE

<b>1. PROPERTY</b>	
Description	Land adjacent to East Didsbury Station, Manchester shown coloured blue on the plan attached. The site measures approximately 470 m <sup>2</sup> and is presently let for storage purposes.
Plan No.	34372
Ordnance survey co-ordinates	E 385333, N 390242
Photographs(if attached)	
<b>2. PROPOSAL</b>	
Type of disposal	Sale of freehold interest.
Person taking disposal	Westbury Homes (Holdings) Ltd
Proposed use/scheme	The land sale enables the Purchaser to divert a Network Rail right of way, which currently runs through their adjacent residential development site immediately to the east. The route of the diverted NR right of way will pass through the sale site and this will give NR an improved trackside access.
Access arrangements	Purchaser already has full access rights over a significant part of the Station Approach Road shown coloured brown on the plan, as a result of previous BRB disposals. These access rights will be extended up to the sale site.
Replacement rail facilities (if appropriate)	N/A
Rail benefits	<ul style="list-style-type: none"> <li>i) On completion of development Westbury will resurface Station Approach Road and footpath and be responsible for future maintenance.</li> <li>ii) Enhanced track access point.</li> </ul>
Non-rail benefits	Redevelopment of redundant land adjoining Station enhancing general environment.

<b>3. TIMESCALES</b>	
Comments on timescales	It is hoped Conditional Contracts will be exchanged in July 2004.

<b>4.</b>	<b>RAILWAY SITE ISSUES</b>
History of railway use	The site has been let for storage of plant and machinery since early 1999. Prior to that the site was used by a Railway Engineering Contractor for storage purposes.
When last used for railway purposes	The site has not been used for railway purposes since 1998 – when it was occupied by a Railway Engineering Contractor from 1994.
Any railway proposals affecting the site since that last use	None
Impact on current railway proposals	None
Potential for future railway use	Consultation within Network Rail has been undertaken and there are no plans for railway use.
Any closure or network change issues	None – Sale site is outside Station Lease Area.
Whether land required to meet any TOC access needs	No
Position as regards safety/operational issues on severance of land from railway	<ol style="list-style-type: none"> <li>1. The disposal includes arrangements under which the Purchaser will install new boundary fencing along parts of the railway boundary and sufficient fencing already exists for the rest</li> <li>2. 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.</li> </ol>

5.	<b>PLANNING &amp; CONTAMINATION</b>	
Planning permissions/Local Plan allocation	The sale site is currently unallocated in the Unitary Development Plan.	
Contamination/Environmental Issues (if any)	Purchaser to assume if any. None known.	
6.	<b>CONSULTATIONS</b>	
	Regulatory	None
	Railway	Network Rail Operational Clearance obtained.  The TOC has been advised of the proposed land sale and confirmed they have no objections.
	Other	None.
7.	<b>INTERESTED PARTIES</b>	<b>NAME &amp; E-MAIL ADDRESSES -WITH NAME AND TELEPHONE NUMBERS FOR ANY PERSONAL CONTACT AT MAIN CONSULTEE(S)</b>
	TOCs	First North Western
	LOCAL TRANSPORT AUTHORITIES	Manchester City Council
	OTHER RELEVANT LOCAL AUTHORITIES	Manchester City Council
	ORR	Executive, Network Enhancements  Manager, Network Rail Regulation Policy  Executive, Network Rail Regulation Policy