

Dawson (development), Barry

From: [REDACTED]
Sent: 19 November 2014 13:54
To: Planning
Subject: Camden ref 2014-7043-P 44-44A Gloucester Avenue COU to residential units
Network Rail response - logged 20/11 bd
Attachments: 44 gloucester Network Rail land and assets.pdf; ATT00001.txt

2014/7043/P
44-44A Gloucester Avenue London NW1 8JD
Change of use from office use (Class B1) to provide 1x1 bed & 17x2 bed residential units
Victoria Square Property Company Ltd
528311 / 184016

FAO Seonaid Carr

We would draw the councils attention to the following Rail Accident Investigation Branch report into '*Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013*', which concluded:
5 The intent of this recommendation is to ensure that the planning approval process reduces the risk to railway infrastructure due to adjacent developments.

The Department for Communities and Local Government should introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process (paragraphs 97f and 101).
Network Rail has a statutory obligation to ensure the availability of safe train paths and as such we are required to take an active interest in any development adjacent to our infrastructure that potentially could affect the safe operation of the railway.

Network Rail is concerned that we have not been directly notified of this proposal either as a consultee or as a neighbour despite this proposal being adjacent to the operational railway. I have attached a plan showing Network Rail land and assets:

Green = operational railway
Yellow with blue boundary = light maintenance depot
Brown = right of access
'L' symbol = listed building

Could the local planning authority please explain why Network Rail is not listed as either a consultee or as a neighbour given that the proposal is adjacent to the operational railway?

In light of this, Network Rail has the following comments to make:

1. The proposal is to convert offices to residential units. The proposal is adjacent to the Camden Washer (Primrose Hill) light maintenance depot. The council and the developer are advised that the proposal should not impact Network Rail from undertaking its statutory obligation. Future residents, the developer and the council should be advised that works on site at the light maintenance depot can operate around the clock (24/7, 365) including works at night, weekends, during bank holidays. Any proposal at this site would need to provide suitable noise, vibration, lighting and dust mitigation for any works on site and potential residents would need to be advised that their dwelling may be impacted from noise, light, dust and vibration from the light maintenance depot as well as the adjacent operational railway. Network Rail will not accept any liability for disturbance from noise, vibration, dust or lighting etc for the site as the developer should already be aware that they are proposing to build next to an existing working railway site. Network Rail would request that the developer undertakes an environmental assessment – including assessment of current background dust, air quality, noise, vibration and lighting and that mitigation measures are put in place by the developer to ensure that there is suitable protection on site for residents and that Network Rail can continue its operational undertaking.

2. There is a right of access in close proximity to the site and this access to the operational railway must remain open and unblocked around the clock (24/7, 365) both during construction works on site and as a permanent arrangement for Network Rail maintenance teams and emergency vehicles. In instances where there are issues relating to the access the developer must contact the Network Rail Operational Property team:

[REDACTED]

3. The attached plan shows that there is a listed structure in very close proximity to the proposal – in this case the listed railway vaults (formerly Camden Incline Winding Engine House). The developer must ensure emergency access / supply of the winding engine vaults is maintained both during construction works and as a permanent arrangement. To discuss this issue the developer must contact, in the first instance, the Network Rail Asset Protection Team:

Network Rail will need to be assured in writing that access to the vaults will remain and will not be altered, blocked or damaged in anyway by the works on site or as a permanent arrangement.

4. Has the council contacted the Primrose Hill Conservation Area Advisory Committee on this proposal who may have comments on the application?

5. The proposal is adjacent to the railway and the plans show that the proposal is very close if not hard-against the railway boundary. There is potential for works on site and future maintenance works to encroach upon or over-sail the operational railway boundary. Therefore, the developer is requested to submit a risk assessment and method statement (including details of any crane, plant and machinery) to the Network Rail Asset Protection Team for review and approval. The RAMS should be submitted at least 20 weeks before works are to begin on site and the RAMS is to be approved by Network Rail before works begin.

Any encroachment onto Network Rail land or over-sailing of air-space without Network Rail approval will be deemed an act of trespass. Any requirement to access Network Rail land or air-space to facilitate the proposal and any future maintenance works will require Network Rail approval and details will need to be confirmed at least 20 weeks in advance. The developer will be held liable for all costs incurred by Network Rail to facilitate the proposal (including any asset protection presence on site, any look outs and any possession costs). A BAPA (Basic Asset Protection Agreement) may be required to facilitate works on site.

6. Consideration should be given to protecting the operational railway from any unauthorised access as a result of the proposal. A suitable trespass proof fence may be required.




Regards

Diane Clarke TechRTPI
Town Planning Technician LNW



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44-44A GLOUCESTER RD Network Rail Land And Assets		
Plot Scale	1:777	
Plot Date	19/11/2014	
		

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