

From: Khan Wasil [REDACTED] **On Behalf Of** Town Planning SE
Sent: 07 November 2016 16:32
To: Dawson (development), Barry
Cc: Town Planning SE
Subject: Consultee letter for PlanningApplication Application: 2015/6455/P / 156 West End Lane / response deadline 07.11.2016 / (anglia)

Dear Sir/Madam,

Thank you very much for consulting with Network Rail in regards to application 2015/6455/P and offering us the opportunity to comment.

The developer should comply with the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

Please see below & attached comments.

As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts [REDACTED] prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at [REDACTED]

Drainage & Waste

As per the original NR comments of 14/Jan we would reiterate that it is important that surface water runoff to adjacent NR property is not increased and attenuation should be included to protect the existing surface water systems from any increase in average or peak loadings due to normal or peak rainfall events.

We also state however that we have additional concerns about drainage given the scale of the proposed development. The development proposes 164 dwellings plus additional office space; as the sewer that the development intends to outfall to is a combined sewer this is likely to mean a substantial increase in average and peak flows (due to increased foul flows) regardless of surface water attenuation.

The combined sewer that the applicant intends to discharge to is a gravity sewer that flows in a southerly direction across Network Rail's tracks where the sewer map indicates that it picks up track drainage with manholes indicated on both the northern and southern sides of the track. Because the track is in a cutting the cover levels adjacent to the track are approximately 8.5 m lower than those adjacent to the development site and the sewer is shallower and becomes narrower (914mm to 600mm) when it crosses the track; as such any increased load on the sewer increases the risk of surcharging the sewer adjacent to the track and flooding the track. Indeed this risk is acknowledged in the applicant's own Flood Risk Assessment : ' As such any surcharge of this system will originate within the lower lying land to the south' (Applicant's FRA, Section 5.4 Flooding from the local Sewerage network).

Our Drainage engineer has been unable to contact the planning officer but notes that he could not find a specific Drainage Strategy amongst the online planning document and so presume that this will be dealt with as reserved matter? We need to ensure that this element of the work is properly scrutinized and that should the applicant choose to discharge foul and surface water flows to this sewer then we need to ensure that the sewerage undertaker (Thames Water) undertakes modelling to prove that sewer can take the additional load without flooding Network Rail's assets.

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Future maintenance

The development must ensure that any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any 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 air-space, and therefore all/any building should be situated at least **2 metres (3m for overhead lines and third rail)** from Network Rail's boundary. The reason for the **2m (3m for overhead lines and third rail)** stand off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than **2m (3m for overhead lines and third rail)** and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land. No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

Drainage

No Storm/surface water or effluent should be discharged from the site or operations on the site into Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 – 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Plant & Materials

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 plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence 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. The applicant/applicant's contractor must consider

if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant 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 Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebрина"

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

Kind Regards,

Wasil Khan
Town Planning Technician, Property

Network Rail
5th Floor
1 Eversholt Street
London NW1 2DN



From: Dawson (development), Barry [Redacted]
Sent: 17 October 2016 15:51
To: Town Planning SE
Subject: Consultee letter for PlanningApplication Application: 2015/6455/P / 156 West End Lane / response deadline 07.11.2016 / (anglia)

Please find attached Consultee letter for PlanningApplication application 2015/6455/P

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**COMMENTS AND CONDITIONS TO BE OBSERVED IN CONNECTION WITH
NEW DEVELOPMENT ADJACENT TO NETWORK RAIL LAND/ASSETS:**

1. The developer must contact Anglia asset protection team and sign up asset protection agreement before proceeding with any design or construction works alongside NR infrastructure. SAPE will specify further safety and engineering conditions as necessary.
2. It may be necessary to enhance or renew Network rail (NR) existing boundary fencing as a result of the development in order to reduce the risk of trespass and possible vandalism. New screening purposes fence must be independent of NR fencing and allow room for maintenance of both fences.
3. Party Wall etc Act 1996. Where works are proposed adjacent to the railway it may be necessary to serve the appropriate notices on NR and their Tenants under the Party Wall etc Act 1996. Developers should consult with NR at an early stage of the preparation of details of their development on Party Wall matter.
4. NR accepts no liability in respect of noise and vibration. Developer should undertake his own investigations to establish any level of noise and vibration likely to originate from the operational of the railway, and design their mitigation measures accordingly.
5. All works, both temporary and permanent, should be designed and constructed so that they will have no influence on the stability of NR's structures and adjoining land.
6. Vibro-compaction will not be permitted, especially in the vicinity of structures, embankments or cutting slopes.
7. NR advise that the use of bored, cast in-situ reinforced concrete piles are recommended. Normally these have no detrimental vibration effects during construction.
8. All structures should be situated at a minimum distance of two metres from NR's boundary fence and at a sufficient distance to enable construction to proceed without, in the NR Engineer's opinion, the risk of affecting the normal and safe running of the railway. This clearance will also enable construction and maintenance to proceed without the need to enter on to NR's property. Please note that unless previous safety protection has been arranged, access on to NR property will not be permitted for any activity associated with any works.
9. All new construction should be sufficiently clear to the boundary, and all foundations should be designed such that they do not impose any surcharge on railway cutting slopes or structures. In addition, it should be borne in mind that cutting slopes could be subject to erosion through the effects of weathering, and all new construction should be at a sufficient distance from the slope to take this into account. At no time should an embankment supporting the railway be cut into or built upon.
10. NR reserves the right to request the screening of any light, including vehicular lights and light reflected by building cladding, which may interfere with the

sighting of signalling apparatus and / or train drivers' vision on approaching trains.

Large areas of Red or Green cladding or painted structure that face on to the railway could affect the sighting of track signals. Large areas of reflective cladding or mirror type glazing could affect the sighting of track signals in the vicinity of the Railway.

11. Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles over-sail or fall onto the railway. Black protective netting around the scaffold may need to be installed. A Method Statement for constructing and dismantling the scaffold will need to be provided for acceptance. Scaffolding may need to be erected under a track closure (possession) of the railway because of the dangers to trains and from the electrified conductor rail. A minimum of sixteen weeks notice is required for shared possessions and thirty two weeks for sole possessions to arrange any possessions of the track.
12. Any cranes or other plant to be used on site must be positioned and operate in such a way that, in the event of mishandling or failure of any part of the equipment or subsidence of the ground supporting the equipment, they will not move or fall within three metres of the nearest rail. Their loads or jibs should not under any circumstances over-sail NR's property.
13. Full details of any tower cranes to be used on site should be submitted for approval, together with a plan showing the relevant jib radii. The cranes (and any other plant) must be positioned in such a way that in the event of mishandling or failure of any part of the equipment or subsidence of the ground supporting the equipment, they will not move or fall within three metres of the nearest rail. Their loads or jibs should not under any circumstances over-sail NR's property. A Method Statement must be prepared for NR's approval, it may be necessary to down-rate the crane capacity by 25% to reduce the risk of failure.
14. All costs incurred by NR in connection with the Works should be reimbursed by the Developer. NR will require the Developer to enter into an Asset Protection Agreement with NR and either place a purchase order or make payment before work commences if called upon to do so.
15. NR requires to be advised of the geotechnical information regarding the site and be assured that whatever construction method is used is suitable. Written confirmation is required stating that the integrity of the railway formation or structures will not be impaired by excavation, piling or other construction methods.
16. Details of excavations for foundations, etc., within 15 metres of NR boundary are to be submitted to SAPE for prior approval. Excavations are not to affect the structural integrity of Network Rail's formation or structures. Stability calculations will be required to prove this where necessary. Calculations to be supported by independent design check certification and supporting geological information.
17. There is to be no dewatering adjacent to or under NR property or structures unless it is unavoidable, in which case the following is required:-
 - a. Settlement and stability calculations for the railway corridor for all stages of construction/dewatering.

- b. Calculations to be supported by independent design check certification.
- c. Monitoring of ground and track levels is to be carried out regularly while dewatering is taking place and for at least 2 weeks after it ceases.