

Dawson (development), Barry

From: Walsh, Jennifer
Sent: 19 June 2017 12:13
To: Planning
Subject: FW: Ref 2017/3133/P - erection of 7-11 storey building, Development Zone A King's Cross Central

Hello,

Please could this be uploaded to M3.

Thank You

Jennifer Walsh
Principal Planner

Telephone: 0207 974 3500



From: Leighton Matthew [mailto:Matt.Leighton@networkrail.co.uk]
Sent: 14 June 2017 16:40
To: Walsh, Jennifer <Jennifer.Walsh@Camden.gov.uk>
Subject: Ref 2017/3133/P - erection of 7-11 storey building, Development Zone A King's Cross Central

FAO – Jennifer Walsh
Ref – 2017/3133/P
Proposal – Reserved matters in relation to Zone A for erection of 7-11 storey building
Location – Development Zone A King's Cross Central York Way London

Thank you for your letter of 31 May 2017 providing Network Rail with an opportunity to comment on the abovementioned application.

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the development of an electrified railway.

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.

It is expected that the preparation and implementation of a surface water drainage strategy addressing the above points will be conditioned as part of any approval.

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.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Armco Safety Barriers

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway. This is in accord with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways.

Fencing

Although the existing NR fence is adequate in preventing trespass there will inevitably be pressure from the new occupants to soften or even attempt to alter its appearance. It should be noted that our fence should not be altered or moved in any way and nothing should be put in place to prevent us from maintaining our boundary fence as we are obliged to do so in law. It is our experience that most developments seek to provide their own boundary enclosure so as to avoid such future problems. It would also help to reduce the impact of railway noise. Also the means of enclosure of the open roof area should consider the proximity to the railway line. Open spaces and amenity areas must be protected by a secure fence of appropriate design and construction.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. **Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.**

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery 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 Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

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.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Cranes

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 the Asset Protection Project Manager 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 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 and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. It is noted that the site is adjacent to a railway access point which should remain clear and unobstructed at all times during and after construction. Access to the railway is required on a 24/7 basis.

Tunnels

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

- The type and method of construction of foundations
- Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel will be necessary.

Any proposal must not interfere with Network Rail's operational railway not jeopardise the structural integrity of the tunnel. The above details should be submitted to the Council and only approved in conjunction with Network Rail.

Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network Rail's tunnels or railway land.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

In the event that these matters are not covered by the outline application, the following matters should be conditioned; **drainage, boundary fencing, Armco barriers, method statements and lighting**, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters (and those that cannot be conditioned) we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

The method statement will need to be agreed with:

**Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 3B
George Stephenson House
Toft Green
York
Y01 6JT**

Email: assetprotectionlneem@networkrail.co.uk

Kind regards,

Matt Leighton
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