

**Sent:** 17 September 2020 09:26  
**To:** Planning  
**Cc:** Meynell, Charlotte  
**Subject:** Ref 2020/2169/P - conversion of dwelling to 35 flats, 39 Fitzjohn's Avenue, London

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OFFICIAL

**FAO – Charlotte Meynell**

**Ref – 2020/2169/P**

**Proposal – Erection of replacement side, rear and roof extensions, excavation of basement and various other alterations associated with conversion of existing dwelling into 35 flats**

**Location – 39 Fitzjohn's Avenue, London, NW3 5JY**

Thank you for your letter of 4 August 2020 providing Network Rail with an opportunity to comment on the abovementioned application.

With reference to the protection of the railway, Network Rail has concerns about the construction of the basement level in proximity to two operational railway tunnels. If the council is minded to approve the application, we will require absolute assurance that the basement and its construction will not impact the stability of these tunnels and undermine operational railway safety. This must be demonstrated by a ground movement assessment and a full detailed construction method statement to be agreed and approved Network Rail's Asset Protection Team prior to any work being undertaken on site.

#### **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 Rails tunnels or railway land.

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

I would advise that in particular the **method statements, ground movement assessment and tunnels** should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway.

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, ground movement assessment and tunnels information will need to be agreed with:

**Asset Protection Project Manager  
Network Rail (London North Eastern)  
Floor 3B  
George Stephenson House  
Toft Green  
York  
YO1 6JT**



Kind regards



**Matt Leighton**  
Town Planning Technician  
**Diversity and Inclusion Champion**  
Network Rail Property - Eastern Region  
George Stephenson House, Toft Green, York, YO1 6JT

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