



Network Rail Consultation Response

To	Connie Davis - Wokingham Borough Council
Application Reference	241828
Location	58 Finchampstead Road, Wokingham, Wokingham, RG40 2NS
Date	23/09/2024

Dear Connie,

Thank you for consulting Network Rail on the above planning application.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Following an internal consultation, which included our Drainage and Asset Protection teams, we would like to make the following comments.

Drainage

Our Drainage team have reviewed the submitted FRA (Lanmor Consulting report dated April 2024), please see their comments below.

The report has not assessed the flood risk associated with the stream which we believe forms an outfall from Network Rail Drainage systems. The FRA should cover all types of flood risk and confirm the potential catchment and associated risks. Further information is required to ensure the risk associated with this stream is understood and that the design does not impact Network Rail assets.

As a result, we object to the application until further information is submitted to demonstrate that flood risk will not be increased as a result of this scheme and that clear ownership and maintenance responsibilities are set out for the ditch line in perpetuity.

Asset Protection

Southern Asset Protection and Optimisation (ASPRO) requests that the applicant to:

1. Confirm the boundary limits and fence line
2. Sign asset protection agreement with Southern ASPRO before proceeding with any design/construction works at the site
3. Adopt ASPRO guidance and requirements and a list of NR deliverables that will be provided to the developer in kick-off meeting
4. Submit for ASPRO acceptance design-if needed, risk assessment & method statement (RAMS) for any work -within Network (NR) zone of influence such as, but not limited to:
 - Ground Investigation Report
 - Road permeable paving and sub base

- Detailed ground investigation to be carried out which should include the risk of ground stability of NR embankment and ground movement
 - Ground Contamination Assessment
 - RAMS for demolition and design for scaffolding if required.
 - Drawings/design & RAMS for foundation and ground works
 - Design for basement and associated temporary works and RAMS for substructure work.
 - Drawings & RAMS for any temporary works for refuse store
 - Design for working platform (pile mat) for piling rig and bespoke RAMS for piling works
 - Drawings & RAMS for refuse store and building construction
 - Lifting plan for all liftings associated with construction works, using plant, etc
 - Drawings & RAMS for roof works, drainage, landscaping works adjacent to NR boundary
 - Traffic incursion risk assessment and management plan
 - Drawings & RAMS for fence- based on trespassing risk assessment and additional RAMS covering; drainage, vehicle incursion, landscaping works adjacent to NR boundary.
 - No soakaways should be installed within 20m from NR boundary, bridge, embankment toe.
5. Confirm if any covenants are applied to the land and if so comply with them
 6. Apply for buried services report prior to any works on site
 7. There is also a drainage outfall to the east of the site from the drainage ditch at the toe of the embankment which must not be blocked.

Additionally, our ASPRO team would like to remind the applicant that the application site is adjacent to a live railway line which has operational noise day and night. Most maintenance work is conducted at night which can be noisy. The appropriate building materials should be used to reduce any potential noise disturbance from the railway. Also, Network Rail may undertake intensive vegetation removal on its land between the boundary and the tracks. Therefore, this vegetation should not be relied on to use as a noise and visual barrier.

As a result, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team as soon as possible. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>).

Where applicable, the applicant must also follow the attached Asset Protection informatives. The informatives are issued to all development within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).

I trust the above is clear, please do not hesitate to contact me if you require any additional information from Network Rail.

Kind regards,

Seda Guillen Izuma
Town Planning Technician
Network Rail Property (Southern)



Asset Protection Informatives for works in close proximity to Network Rail's infrastructure

The developer must ensure that their proposal, both during construction and after completion 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

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

Future maintenance

The applicant must ensure that any construction and 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. Therefore, any buildings are required to be situated at least **2 metres (3m for overhead lines and third rail)** from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. 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 as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

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.

Drainage

Storm/surface water must not be discharged onto 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 within **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.

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 during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must 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 should be made aware to the future occupiers of the site. It must also 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. The appropriate building materials should be used to reduce any potential noise disturbance from the railway.

Vehicle Incursion

Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

Landscaping

Any trees/shrubs 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. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. 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. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

Existing Rights

Whilst not a planning matter, we would like to remind the applicant of the need to identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

Property Rights

notwithstanding the above, if any property rights are required from Network Rail in order to deliver the development, Network Rail's Property team will need to be contacted.

If you would like to discuss any of the above, please contact your local Network Rail's Asset Protection team:

Anglia: AssetProtectionAnglia@Networkrail.co.uk

Kent and Sussex: AssetProtectionLondonSouthEast@NetworkRail.co.uk

Wessex: AssetProtectionWessex@NetworkRail.co.uk

To identify your route, please use the link: <https://www.networkrail.co.uk/running-the-railway/our-routes>