

**From:** [Town Planning LNE](#)  
**To:** [Planning](#)  
**Subject:** Ref 6/2022/2801/MAJ - residential development, Campus East Car Park, College Way, Welwyn Garden City  
**Date:** 23 February 2023 10:44:14  
**Attachments:** [image001.png](#)  
[Standard Informatives.docx](#)  
[Standard Drainage Requirements.doc](#)

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## Network Rail Consultation Response

<b>FAO:</b>	Mr Nabeel Kasmani
<b>Date:</b>	23 February 2023
<b>Application reference:</b>	6/2022/2801/MAJ
<b>Proposal:</b>	Demolition of all existing buildings and structures followed by the erection of five buildings to provide 313 residential units
<b>Location:</b>	Campus East Car Park, College Way, Welwyn Garden City, AL8 6DG

Thank you for your recent correspondence relating to the above application.

Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.

Network Rail have no overall objection to the proposals, but we do have some concerns that need to be addressed in considering the application.

Firstly, you will be aware that there is an active train care and maintenance depot currently accessed through the Campus East car park. We have been in dialogue with the applicant, and they have kindly agreed to maintain and formalise this access through the development, which is welcomed. The applicant has provided swept path analysis to show how larger vehicles can access the depot site, but there needs to be some kind of parking restriction on the approach road to ensure that deliveries can take place unhindered by casual parking of vehicles.

In terms of drainage the Assessment provided gives detail of the proposed diversion of the existing rising main from the carriage wash and how this will be accommodated in a new system, the subject of a licence from Thames Water. However, it is unclear from the plans over the exact location of the rising main across the site, and measures will need to be in place to protect the main during construction works prior to it being diverted. It is also the case that the expected flows from the Depot may increase and we question whether the proposed design of sewer will be able to accommodate the flows expected from the Depot. We are seeking a meeting with the applicant to discuss this aspect further, but for the purposes of the application we consider it is something that can be addressed by an appropriately worded condition (it is expected a condition would be included in any event confirming that the measures outlined in the drainage assessment would be implemented by a certain date to the satisfaction of the planning authority or similar)

Finally, it must be appreciated that the development is located next to an active maintenance depot and carriage sidings, as well as the East Coast Main Line. It is noted in the noise assessment that no discernible noise was associated with our facilities during the survey period but there will be the odd occasion where noise will be experienced (e.g. rail replacement) at the depot. Network Rail has a statutory defence against nuisance but in any event it is expected that the new dwellings will have adequate soundproofing as per Standards to mitigate against the adjacent uses.

Below are some further requirements which must be met;

### **Works in Proximity to the Operational Railway Environment**

#### **Development Construction Phase and Asset Protection**

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

#### *Condition*

*Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.*

Contact details for Asset Protection are supplied below and **we would draw the developers' attention to the attached guidance on Network Rail requirements.**

#### **Drainage**

It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. **Please note, further detail on Network Rail requirements relating to drainage and works in proximity to the railway infrastructure is attached for your reference.**

#### *Condition*

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

### **Boundary Treatments, Landscaping and Lighting**

#### **Trespass Proof Fencing**

Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development we consider that there will be an increased risk of trespass onto the railway.

#### *Condition*

The developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) and make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged.

#### **Vehicle Incursion Measures**

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.

#### *Condition*

Given the nature of the proposals and location of turning areas/car parking, we would expect that a condition securing the design and installation of suitable vehicle incursion measures by the developer is included in any consent. This is for the safety, operational needs and integrity of the railway.

**Landscaping**

It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be position at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

**Acceptable:**

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees – Pines (Pinus), Hawthorn (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina"

**Not Acceptable:**

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

**Condition**

Landscaping detail should be submitted to the Local Planning Authority and approved in conjunction with Network Rail.

**Lighting**

Where 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.

**Condition**

Detail of any external lighting should be provided to the Local Planning Authority to be approved in conjunction with Network Rail.

**Additional Requirements**

**Railway Noise Mitigation**

The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

**Reason for above conditions:**

**The safety, operational needs and integrity of the railway.**

**Informatives:**

**Please see attached standard railway requirements to be included as informatives.**

**Conclusion**

Thank you again for the opportunity to comment on the proposed scheme. We trust that the above will be given due consideration in determining the application and if you have any enquiries in relation to the above, please contact us at [townplanningline@networkrail.co.uk](mailto:townplanningline@networkrail.co.uk).

Useful Network Rail contacts;

**Asset Protection Eastern**

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email [assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk).

**Land Information**

For enquiries relating to land ownership enquiries, please email [landinformation@networkrail.co.uk](mailto:landinformation@networkrail.co.uk).

**Property Services**

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email [propertyservices@networkrail.co.uk](mailto:propertyservices@networkrail.co.uk).

Kind regards



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Town Planning Technician  
**Diversity and Inclusion Champion**  
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Please note I am on study leave on Wednesdays for the foreseeable future and will be unavailable on these days

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