
From: Nicholas Donoghue <Nicholas.Donoghue@networkrail.co.uk>
Sent: 13 December 2021 16:39
To: Planning Admin
Cc: Town Planning Southern; Asset Protection London South East
Subject: Network Rail Consultation Response: 20211309 - G And M Motors, 85 Milton Road, Gravesend, Kent DA12 2PP
Attachments: ASPRO Informatives 2021.pdf; ufm333.pdf

OFFICIAL

Dear Planning,

Network Rail Consultation Response: 20211309 - G And M Motors, 85 Milton Road, Gravesend, Kent DA12 2PP

Thank you for consulting Network Rail on the above planning application, please see our formal comments below.

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.

The proposal includes the demolition of a building that is adjacent to Network Rail's boundary and the erection of a building 1 meter from Network Rail's boundary, consequently there is a strong possibility that Network Rail land / air-space will need to be utilised in order to facilitate the works. The proximity of the new building may also adversely impact Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. It should be noted that 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 a result, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionLondonSouthEast@networkrail.co.uk as soon as possible. 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. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

We also attach a full list of Asset Protection informatives which are issued to all proposals 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, however, if you require any additional information from Network Rail please do not hesitate to contact me.

Kind regards,



Nick Donoghue

Town Planning Technician

Network Rail Property (Southern)

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Mobile: 07732 639934

Website: www.networkrail.co.uk

Please note I am on study leave on Wednesdays.

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Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN.

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 must be assessed in the context of the National Planning Policy Framework which hold 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.

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

The applicant must 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 NRIL in order to deliver the development, NRIL'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>

Gravesham Borough Council



Planning Services

Case Officer: Mrs Amanda Grout
Direct Line: 01474 337 688
E-mail: planning.reps@gravesham.gov.uk
My Ref: 20211309 - SCON3
Date: 26 October 2021

Network Rail
Network Rail,
Town Planning Southern Region,
4th Floor,
1 Puddle Dock,
London,
EC4V 3DS

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

REFERENCE NO. 20211309

UPRN 100062312317

PROPOSED DEVELOPMENT Application for outline planning permission with all matters reserved and being for demolition of existing workshop and erection of a single storey building with valet booth, video/photographic studio and parts store together with the laying out of 6 car parking spaces.

LOCATION G And M Motors, 85 Milton Road, Gravesend, Kent DA12 2PP

I have received the above application. The plans and documents comprising the application are available for inspection on Public Access on the Council's website. Log on to <http://plan.gravesham.gov.uk/online-applications> and enter **20211309**. Or click on the following link to be taken directly to the application.

<https://plan.gravesham.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R17Q2SHP03O00>

Should you wish to make any observations regarding this proposal, your comments should be emailed to us at: planning.reps@gravesham.gov.uk and **MUST** be as a PDF document or Word format attachment (i.e. .doc and not an .msg). Please note your formal comments should not be sent directly to the case officer by e-mail.

If you are minded to suggest planning conditions, please be aware that under The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 the Local Planning Authority will have to seek the applicant's written agreement to any pre-commencement condition(s) it intends to impose if granting planning permission. You are therefore requested to provide appropriate justification for any condition(s) you consider must be pre-commencement of development on site.

Switchboard 01474 56 44 22
Minicom 01474 33 76 17
Website www.gravesham.gov.uk

**INVESTORS
IN PEOPLE**

I shall be pleased to receive any observations that you wish to make by **16 November 2021**.

Yours faithfully,

Wendy Lane MRTPI

Assistant Director (Planning)

Planning Service

Gravesham Borough Council