

From: Sharon Holman
Sent: 24 April 2017 11:08
To: planning_admin
Subject: FW: Wrexham ref P-2016-1163 Wynn Offa Wynnstay Yard Ruabon 2 dwellings
HOLDING OBJECTION

Civ – consultation resp

From: TownPlanning LNW [<mailto:TownPlanningLNW@networkrail.co.uk>]
Sent: 24 April 2017 10:40
To: Sharon Holman
Subject: Wrexham ref P-2016-1163 Wynn Offa Wynnstay Yard Ruabon 2 dwellings HOLDING OBJECTION

P/2016/1163
LAND ADJ WYNN OFFA, WYNNSTAY YARD, THE GREEN, RUABON
2 DWELLINGS
329416 / 343380

FAO Sharon Holman

The red line location plans shows that the site is adjacent to the existing operational railway. From a review of the submitted documents, the layout and design of the proposal is of concern and at this stage, Network Rail is submitting a holding objection.

(1)

The proposed dwelling 'Plot 1', appears to be constructed within 2m of the existing operational railway boundary.

When designing proposals, the developer and LPA are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary fence, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments which might be adversely impacted by third party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability.

Network Rail requests that the applicant positions the proposed structure at least 2m from our boundary.

1. By being built hard against or less than 2m from the Network Rail boundary the applicant could encroach onto Network Rail land or over-sail our air-space to both construct the structure as well as undertake any future maintenance (including the erection of any scaffolding where poles may over-sail or fall onto our land). Any unauthorised access on to Network Rail land or over-sailing of our air-space will be considered an act of trespass. This would not be acceptable to Network Rail.
2. Any structures hard against or less than 2m from the Network Rail boundary could have foundations which might encroach onto our land /over the boundary. Foundations or construction works could destabilise our support zones, damage the railway boundary, impact upon buried services. Support zones may also extend beyond the railway boundary and onto outside party land .
3. Any structures hard against or less than 2m from the Network Rail boundary could fail resulting in it collapsing toward the Network Rail boundary and damaging boundary fencing and foundations as well as the potential to impact upon lineside equipment.
4. Network Rail requires that any structure erected near to the railway boundary does not prevent us from maintaining and renewing our boundary fencing, foundations and vegetation, if a structure is built hard against the boundary this could impact upon the ability of our maintenance teams to undertake works.
5. We would also be concerned that structures could be used by trespassers to scale the railway boundary.
6. Any structure on third party land must not increase Network Rail's liability.

The developer is also made aware of issues relating to Party Wall Act 1996 works. In these cases they would need to submit a Party Wall Act 1996 notice to Network Rail (with a plan of the works proposed) and the developer would be liable for all costs incurred in facilitating the proposal.

The developer should therefore discuss the works on site directly with the Network Rail Asset Protection team:
AssetProtectionWales@networkrail.co.uk

The developer will be liable for all costs incurred by Network Rail.

Regards

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