

## Network Rail

Sent: 29 May 2018 14:29

To: Planning Strategy

Subject: Brent - Scoping Opinion Phase 2 Wembley link Wembley High Road 250 dwellings REVISED RESPONSE

Scoping Opinion - Phase 2 Wembley Link site, rear of 412-444 Wembley High Road HA9 6AH.

The proposed development is redevelopment of the 0.63 hectare site to provide approximately 250 homes within 2 buildings at a height of up to 63 metres above ground level

HOW Planning

518507 / 185307

Our ref: NAJ14.1223

Network Rail has the following comments to make on the above proposal. (please delete previous response).

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 outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability.

{1}

A flood risk assessment and drainage strategy is to be submitted as part of the planning application - given the existing railway infrastructure, Network Rail will need to review and comment upon the drainage proposals including surface management.

At this stage the developer needs to take on board the following comments:

- The development must not allow the surface or sub-surface flow of water towards the operational railway. All surface and sub-surface waters must drain in a direction away from the railway infrastructure.
- Soakaways must not be considered for use at this site. All surface waters are to drain from site via a closed sealed pipe system.

{2}

A minimum distance of 2m is to be included between any structures (including any fencing the development may erect) and Network Rail's boundary fence - the proposal must not prevent Network Rail from maintaining and renewing its boundary treatments.

(3)

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees In Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

All vegetation on site should be in line with the attached matrix.

(4)

Overlay of the applicant's red line and Network Rail land in green, there are no land ownership issues.

(5)

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant/developer should submit the RAMs directly to: AssetProtectionLNWSouth@networkrail.co.uk

(6)

The applicant will provide at their own expense (if not already in place):

- A suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land.
- The fence must be wholly constructed and maintained within the applicant's land ownership footprint.
- All foundations must be wholly constructed and maintained within the applicant's land ownership footprint without over-sailing or encroaching onto Network Rail's boundary.
- The fence must be set back at least 1m from the railway boundary to ensure that Network Rail can maintain and renew its boundary treatments.
- Any and all existing Network Rail fencing and boundary treatments must not be damaged or removed in any way.
- Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land.
- Proposal fencing must not be placed on the boundary with the railway.
- Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- The fence should be maintained by the developer and that no responsibility is passed to Network Rail.

(7)

The developer/applicant must ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land.

There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and boundary treatments.

Any construction works on site and any future maintenance works must be conducted solely within the applicant's land ownership.

(8)

Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, must have at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

(9)

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.

- All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (eg. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.

- The Impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

(10)

With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any overhead lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.

(11)

Network Rail will need to review and agree all excavation and earthworks within 10m of the railway boundary to determine if the works impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree to the following:

- Alterations to ground levels
- De-watering works
- Ground stabilisation works

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The LPA are advised that the impact of third party excavation and earthworks can be different depending on the geography and soil in the area. The LPA and developer are also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area; therefore consultation with Network Rail is requested. Any right of support must be maintained by the developer.

(12)

The LPA and the developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings.

Network Rail is aware that residents of dwellings adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the LPA via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

To note are:

- The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.
- Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.
- Network Rail carry out works at night on the operational railway when normal rail traffic is suspended and these works can be noisy and cause vibration.
- Network Rail may need to conduct emergency works on the existing operational railway line which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.
- Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for works.
- The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.
- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.

- Any assessments required as part of COM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.
- Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.
- Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.
- Noise and Vibration Assessments should take into account any railway depots, freight depots, light maintenance depots in the area. If a Noise and Vibration Assessment does not take into account any depots in the area then the applicant will be requested to reconsider the findings of the report.

(13)

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

All vegetation on site should be in line with the attached matrix.

(14)

Where a proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

- hard standing areas
- turning circles
- roads, public highways to facilitate access and egress from developments

Network Rail would very strongly recommend the installation of suitable high kerbs or crash barriers (eg. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

(15)

As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a **BAPA** (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA form attached).  
AssetProtectionLNWSouth@networkrail.co.uk

Regards

Town Planning Technician LNWSouth  
Network Rail

## Historic England

Sent 12 June 2018 17:00

To: Planning Strategy

Subject: RE: Scoping Opinion Request Phase 2 Wembley Link, Wembley High Road

Dear Mr Lewin,

Thank you for your consultation 22<sup>00</sup> May 2018, seeking our advice on the scoping report for the Environmental Impact Assessment for the Wembley Link Phase 2, Wembley High Road proposals. Historic England is the Government's advisor on all matters relating to the historic environment and a statutory consultee on a broad range of applications affecting the historic environment including the Environmental Impact Assessment (EIA) of projects.

Accordingly, we have reviewed this consultation in the context of the National Planning Policy Framework (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. In this instance we have no additional comments on the scoping report.

It must be noted that this advice is based on the information that has been provided to us and does not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from this proposed development, and which may have adverse effects on the historic environment.

Please also note that these comments do not relate to archaeology, advice on which has been provided by the Greater London Archaeological Advisory Service.

If there are any questions about this response please contact me.

Regards,

Historic Places Principal London

Planning Group: London

Historic England, 4th Floor, Cannon Bridge House, Dowgate Hill, London, EC4R 2YA

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**From:** Lewin, Paul [mailto:Paul.Lewin@brent.gov.uk]  
**Sent:** 22 May 2018 10:01  
**To:** Planning Strategy  
**Subject:** Scoping Opinion Request Phase 2 Wembley Link, Wembley High Road

Dear Sir/Madam

The London Borough of Brent has received a Scoping Opinion request from HOW Planning for the Phase 2 Wembley Link site, rear of 412-444 Wembley High Road HA9 6AH. The proposed development is redevelopment of the 0.63 hectare site to provide approximately 250 homes within 2 buildings at a height of up to 63 metres above ground level.

The applicant's EIA Scoping Report for the proposed development is attached.

If you have any comments on the Scope of Proposed Contents for the EIA please can you respond to [planningstrategy@brent.gov.uk](mailto:planningstrategy@brent.gov.uk) by the 12th June 2018.

Regards

Paul Lewin  
Planning Policy & Projects Manager  
Regeneration & Environment  
Brent Council

0208 937 6710

[www.brent.gov.uk](http://www.brent.gov.uk)

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## Thames Water

Sent: 23 May 2018 10:40  
To: Lewin, Paul  
Subject: 3rd Party Planning Application - Scoping Opinion

Brent Council  
Development Control  
Brent House, 349/357 High Road  
Wembley  
Middx  
HA9 6BZ

Our DTS Ref: 58024  
Your Ref: Scoping Opinion

23 May 2018

Dear Sir/Madam

Re: 412-444, WEMBLEY HIGH ROAD, WEMBLEY, HA9 6AH

### Waste Comments

Thank you for giving Thames Water the opportunity to comment on the above application. Thames Water are the statutory sewerage undertaker for the area and would like to make the following comments: The EIA Regulations 2017 set out in Schedule 4 that water and wastewater issues may need to be covered in an EIA. Thames Water consider the following issues should be considered and covered in either the EIA or planning application submission: 1. The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met 2. The surface water drainage requirements and flood risk of the development both on and off site and cant be met. 3. Build - out/ phasing details to ensure infrastructure can be delivered ahead of occupation. 4. Any piling methodology and will it adversely affect neighbouring utility services. Should the developer wish to obtain information on the above issues they should contact our Developer Services department on 0800 0093921

### Water Comments

Yours faithfully  
Development Planning Department

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ

## Hertfordshire and North London Sustainable Places

From: HNL Sustainable Places [mailto:HNL Sustainable Places@environment-agency.gov.uk]

Sent: 23 May 2018 16:36

To: Planning Strategy

Subject: Scoping Opinion Request Phase 2 Wembley Link, Wembley High Road - EA Comments

To whom it may concern,

Thank you for consulting us on the attached Scoping Opinion Request for the Phase 2 Wembley Link ~~de~~.

We have identified no environmental constraints on site that fall within our remit. We therefore have no comments to make on the proposed Scoping Report and would deem it sufficient.

Kind regards,

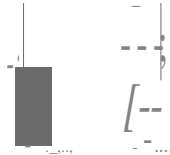
Matthew Pearce

Planning Advisor, Hertfordshire and North London Sustainable Places  
Environment Agency, 3rd Floor, 2 Marsham Street, London, SW1P 4DF

External: 0207 714 0992



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Does Your Proposal Have Environmental Issues or Opportunities? Speak To Us Early!

If you're planning a new development, we want to work with you to make the process as smooth as possible. We offer a bespoke advice service where you will be assigned a project manager who will be a single point of contact for you at the EA, giving you detailed specialist advice within guaranteed delivery dates. This early engagement can significantly reduce uncertainty and delays to your project. More information can be found on our website [here](#). Please note – Our hourly charge is now £100 per hour plus VAT from 1<sup>st</sup> April 2018.

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