

<u>APPLICATION NO:</u>	26/00020/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	Roby	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	1 Court Hey Avenue, Roby, Knowsley, L36 4JB		
<u>PROPOSAL:</u>	ERECTION OF A FIRST-FLOOR SIDE EXTENSION, SINGLE STOREY REAR EXTENSION WITH ALTERATIONS CARRIED OUT TO EXISTING REAR EXTENSION, TOGETHER WITH A HIP TO GABLE ROOF CONVERSION, THE ERECTION OF A REAR DORMER, AND THE INSTALLATION OF 3NO. ROOFLIGHTS.		

Site Description

The application site comprises a two-storey 5-bed semi-detached dwelling located on Court Hey Avenue, Roby. The dwelling is characterised by brick and render to all elevations and a hipped tiled roof. The property currently benefits from a single storey extension to the side and rear and a small dormer extension to the rear.

The property has off-street parking available to the front.

The attached neighbouring dwelling 2 Court Hey Avenue benefits from a two-storey side extension, single storey rear extension and a dormer extension to the rear. The detached neighbouring dwelling 184 Roby Road benefits from a single storey rear extension and is a three-storey dwellinghouse, unlike the rest of the street scene which is predominantly of a two-storey nature. To the north of the site is a railway track and to the south of the site is open space and the M62 Junction 5 Bowring Park Interchange slip-road.

Proposal

Planning permission is sought for the erection of a first-floor side extension, single storey rear extension with alterations carried out to existing rear extension, together with a hip-to-gable roof conversion, erection of a rear dormer extension and the installation of 3no. rooflights.

First-floor side extension

The side extension would have a width of 2.7m and a length of 8.6m. The extension would have a gable tiled roof, which would hip slightly in the corner, with an eaves height of 5.3m and a ridge height of 7.8m. The proposed extension would be set back from the adjacent front elevation at first-floor level by 0.7m.

The extension would have a render finish and would have one window within the front elevation, two windows within the side elevation and one window within the rear elevation. One of the windows within the side elevation has been amended to reduce the scale and view of the window.

Single storey rear extension

The single storey rear extension would have a width of 8.7m and would project 5.7m beyond the existing rear elevation. The extension would have a flat roof with a height of 3.1m. A small bay window would also be incorporated into the design of the rear extension which would project an additional 0.6m and would have a lowered height of 2.6m.

The extension would have a brick / render finish and would have sliding doors, an access door and the bay window within the rear elevation.

Rear dormer extension and hip-to-gable extension

The dormer extension would have a length of 6.4m, a height of 2.1m and a depth of 4.3m, providing an additional 28.9m³ of roof space. The dormer would be set back from the main rear elevation of the dwellinghouse (along the horizontal line) by 0.8m. The proposed extension would match the existing rear dormer in terms of its depth and height. The dormer would be set in from the roof edge by 0.2m.

The dormer extension would have a flat roof, be finished in tiled to match the existing dormer extension and would have two windows within the rear elevation.

The proposed hip-to-gable extension would have a length of 9.2m, a width of 5.1m and a height of 2.6m. The alteration would provide a total volume of 20.3m³.

The new gable roof would be finished in tiles to match the existing roof, and the new gable end would be finished in render to match the existing dwellinghouse.

Other alterations

The existing chimney stacks are to be removed to allow for the dormer extension and hip-to-gable alterations.

Three rooflights would also be installed to the front roof-plane of the dwellinghouse.

Consultations

Network Rail – Provided comments that will be included as an informative.

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

Representations

This application has been publicised by letters sent to 7 neighbours and a site notice displayed near to the site. No representations were received as a result of the publicity given to the application.

Planning History

09/00158/FUL ERECTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR – (REVISED SCHEME TO PREVIOUSLY APPROVED APPLICATION 08/00508/FUL)

Granted (11 June 2009)

08/00508/FUL ERECTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR OF DWELLING

Granted (29 October 2008)

74/11059/HIST ERECTION OF SINGLE DETACHED GARAGE

Granted (07 November 1988)

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

Policy CS2 Development Principles

Policy CS19 Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

Policy H8 Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the

presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

RESIDENTIAL AMENITY AND DESIGN

First-floor side extension

The Householder Development SPD outlines that two-storey side extensions or first-floor side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours. They should also avoid causing a terracing effect either by themselves or in conjunction with similar extensions.

The SPD also outlines that either a minimum space of 1m should be preserved between the extension and the party boundary to the side of the property, or the front wall of the first-floor of the extension should be set back at least 1m from the immediately adjoining part of the main front wall of the original dwelling.

The proposed first-floor side extension would have a width of 2.7m and a length of 8.6m. The proposed extension would be set away from the shared boundary No.184 by 0.2m (as per drawing no. A100).

The extension would be set back from the existing adjacent wall of the dwelling by 0.7m. Whilst the SPD outlines that the first-floor should be set back by 1.0m, given that the extension would be set back from the main front elevation by 1.2m, it is considered that the additional 0.3m shortfall can be mitigated, due to the staggered design of the existing dwellinghouse. Additionally, as the dwellinghouse to the east of the site is a three-storey dwelling, it is unlikely that the extension would cause an actual or potential terracing effect.

Considering the impact on the detached neighbouring dwelling 184 Roby Road, there are eleven windows within the side elevation of No.184. A google search has confirmed that of the five windows at ground floor level, the three that are situated within the bay are considered to be habitable, as they serve an existing dining room. The four windows at first-floor level are all considered to be non-habitable as they serve a dressing room, bathroom and shower room. The two windows at second-floor level are considered to be non-habitable as they serve a bathroom. The proposed side extension would be situated 6.4m away from the side elevation of No.184. Whilst the first-floor side extension would alter the outlook from the dining room window, the existing outlook is slightly dominated by the side elevation of the application site and as such, the proposed development would not significantly harm the outlook to the extent that it would cause harm to the amenity. The LPA acknowledges that the first-floor side extension would have some impact on the habitable window of No.184, however it is considered that the 6.4m gap between the extension and the neighbouring dwellinghouse would ensure that sufficient light is retained into the neighbouring dining room. In this instance, it is considered that the impact on the habitable window is not great enough to warrant the refusal of the planning application.

There would be no impact on the amenity of the attached neighbouring dwellinghouse 2 Court Hey Avenue, as the extension is located to the opposite side.

The proposed first-floor side extension would be visible from the wider street scene of

Court Hey Avenue. The extension would be finished in render / brick and would have a gable tiled roof to match the proposed hip-to-gable alteration. Therefore, as the materials and roof design would match that of the existing dwellinghouse, it is considered that the extension would be in keeping with the host dwelling and the character of the local area and is considered to be acceptable in visual terms.

The additional windows in the front and rear elevations do not raise any concerns as they would not create any additional views not already available from the front / rear of the dwellinghouse. Whilst the SPD states that windows in side elevations that serve main habitable rooms and overlook adjacent dwellings are rarely acceptable, the two windows to be installed within the side elevation raise no concerns as they would both serve a bathroom, which is considered to be a non-habitable room. Additionally, one of the windows has been amended to reduce the scale and outlook from the window. To protect privacy and amenity, a condition will be included to ensure that obscure glazing is installed to the window within the front elevation and the two windows within the side elevation. Therefore, the proposed windows do not raise any overlooking concerns.

In summary, the first-floor side extension is considered to be acceptable in terms of any impacts on the residential and visual amenity of the host property and the surrounding area and complies with Policy H8 and guidance provided by the Householder Development SPD.

Single storey rear extension

The Householder Development SPD advises that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours or appear unduly dominant to neighbours.

The SPD advises that single storey rear extensions located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4.0m from the rear elevation of the dwelling.

The proposed rear extension would have a width of 8.7m and would project 5.7m beyond the existing rear elevation. The small bay window to the rear elevation of the extension would project an additional 0.6m, causing the extension to have a total projection of 6.3m at its largest point. The extension would exceed the SPD's guidance by 2.3m, causing the 45-degree principle to be applied.

Considering the impact on the attached neighbouring dwelling 2 Court Hey Avenue, the extension would be set in 0.2m from the shared boundary and would project beyond the rear elevation of No.2's single storey rear extension by 1.2m (1.8m when including the bay window). The proposed extension would not breach the 45-degree principle when measured from the nearest habitable window of No.2. Additionally, the proposed rear extension would have no greater impact on the amenity of No.2, than the existing rear extension which projects beyond the rear elevation of the neighbouring dwellings extension by 1.2m.

Considering the impact on the detached neighbouring dwelling 184 Roby Road, the extension would be set in 0.2m from the shared boundary and would project 5.7m beyond the rear elevation of No.184's single storey rear extension. The proposed extension would not breach the 45-degree principle when measured from the nearest habitable window of No.184 and would not have a significant impact on the amenity of the detached neighbouring dwellinghouse.

The extension would be finished in brick / render and would have a flat roof. As the materials would match the existing dwellinghouse and the extension would not be visible from the wider street scene, the proposed materials and roof design are considered to be acceptable in visual terms.

The additional doors and window within the rear elevation raise no overlooking concerns due to boundary treatments, ground floor siting and orientation within the rear elevation of the extension.

In summary, the single storey rear extension is considered to be acceptable in terms of any impacts on the residential and visual amenity of the host property and the surrounding area and complies with Policy H8 and guidance provided by the Householder Development SPD.

Rear dormer extension

The Householder Development SPD outlines that roof alterations and dormer extensions can prove a convenient method of increasing living space within a dwelling. However, care should be exercised to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring dwellings. Dormers should not be so large as to dominate the roof slope resulting in a dwelling which appears unbalanced.

The SPD also outlines that a dormer extension must not project above the ridgeline of the dwelling, be set back at least 1m from the main elevation it relates to, when measured on the horizontal line and 0.5m from the roof edge on either side, to prevent it having an overbearing effect on the street scene and adjoining dwellings.

The dormer extension would have a length of 6.4m, a depth of 4.3m and a height of 2.1m, providing an additional 28.9m³ of roof space. The dormer would be set back from the main rear elevation of the dwellinghouse (along the horizontal line) by 0.8m. The proposed extension would match the existing rear dormer in terms of its depth and height.

The dormer extensions proposed set back from the rear elevation would fall short of the SPD's guidance by 0.2m. As the existing dormer extension is set back from the rear elevation by 0.8m and the proposed dormer extension would sit in-line with the application sites existing dormer extension and No.2's dormer extension, the shortfall of 0.2m is considered to be acceptable.

The dormer extension would also be set in from the roof edge by 0.2m. Whilst the set in would fall short of the SPD's guidance by 0.3m, as rear dormer extensions can be found within the locality and the property to the side of the set-in is a three-storey dwelling, it is considered that the extension would not have an overbearing effect on the street scene, and the shortfall can be mitigated.

The dormer extension raises no concerns in regard to interface distances as there are no properties to the rear of the site, only a railway track.

Considering the impact on 2 Court Hey Avenue and 184 Roby Road, whilst two windows would be installed within the rear elevation of the dormer extension which would create a greater vantage point to views, given the orientation of the windows within the rear elevation, the windows do not raise any overlooking concerns.

The dormer extension would not be visible from the wider street scene of Court Hey Avenue / Roby Road. The extension would have a flat roof and would be finished in tiles to match the existing dormer extension. As the materials would match that of the wider dwellinghouse's existing roof and existing dormer extension, the dormer extension is considered to be acceptable in visual terms.

In summary, the rear dormer extension is considered to be acceptable in terms of any impacts on the residential and visual amenity of the host property and the surrounding area and complies with Policy H8 and guidance provided by the Householder Development SPD and New Residential Development SPD.

Hip-to-gable alteration

The hip-to-gable extension could not be completed under Permitted Development, as the dormer extension would extend beyond the plane of the existing roof slope of the existing dwellinghouse, and as such requires planning permission. Whilst the proposed alteration would alter the finished appearance of the application site, gable roofs are not uncommon in the wider locality. As such, the development would remain in-keeping with the existing character and appearance of the area and would not negatively impact the visual amenity of the host property and the wider area.

Other alterations

The existing chimney stacks are to be removed to allow for the dormer extension and hip-to-gable alterations. The loss of the chimney would not negatively impact the visual amenity of the host property and the surrounding area.

The three rooflights to be installed to the front roof-plane of the dwellinghouse raise no overlooking concerns due to their slanted placement within the roof. Additionally, rooflights can be found within the front roof-planes of dwellinghouses within the wider surrounding area.

HIGHWAYS

The dwelling would remain as a five-bedroom property.

The Householder Development SPD advises that sufficient car parking should be retained or provided, when erecting a first-floor side extension. The Householder Development SPD advises that the parking provision of a 4+ bedroom property should provide 3 spaces within the curtilage and that car spaces provided on front driveways should have dimensions of 5.0m x 3.0m.

The existing driveway is a good-sized driveway which widens once you have travelled into the driveway. Appendix A indicates that a minimum of three vehicles can park, with the ability for additional parking for extra vehicles.

In the instance that the proposed 'office' on the second floor may be used as a sixth-bedroom, this raises no highway concerns, as the existing driveway is able to provide parking for more than three vehicles.

Therefore, the proposal would not have any negative impacts on highway safety and would be in accordance with the Householder Development SPD and Policy H8 of the Replacement UDP.

Conclusion

The proposal would be acceptable in terms of any impacts on the residential and visual amenity and highway safety. The proposal also complies with the Knowsley Local Plan: Core Strategy, Replacement UDP Policies and guidance provided in the NPPF, and is therefore recommended for approval, subject to conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) The materials to be used on the external surfaces of the first-floor side extension, single storey rear extension, rear dormer extension and hip-to-gable alteration hereby permitted shall be render / brick and tiles to match the colour of the existing roof tiles, as appropriate to their respective elements.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) No part of the development hereby permitted shall be used or occupied until the proposed first floor window within the front elevation and the two first-floor windows within the side elevation which would serve the bathroom, as indicated on Drawing No. A103 (REV A) have been glazed with obscured glass to level 4/5. The obscure glazing shall be retained as such thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of neighbouring properties and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
21.01.2026	-	-	LOCATION PLAN

24.04.2026	A100	-	PROPOSED SITE PLAN
28.04.2026	A103	REV A	PROPOSED FLOOR PLANS
28.04.2026	A104	REV A	PROPOSED ELEVATIONS

Signed Case Officer¹: **Louise Robinson**

Signed Authorising Officer²: **Jo Sheridan**

Date: **13/05/2026**

Informatives

1. The granting of planning permission does not confer consent to encroach on any neighbours land and would be a civil matter between the affected parties. Consideration should be given to this in respect of any gutters potentially overhanging over shared boundaries.
2. Please note that whilst Network Rail (NR) is submitting responses via the planning application process, it should be born in mind by the LPA/developer that the operational railway presents risks/issues that are different/unique to the risks posed by works taking place adjacent to non-railway undertaker land. Works on this site therefore must be undertaken with the supervision of NR via the ASPRO (asset protection) team to ensure that the works on site do not impact the safe operation, stability, integrity of the railway & its boundary. The LPA/developer are advised that unauthorised works adjacent to the railway boundary could impact the operation of nationally significant infrastructure & the applicant would be liable for any and all damages & costs caused by any works undertaken in this scenario. Therefore, the developer is requested to ensure that the development meets with NR requirements for works/developments adjacent to the railway boundary which include planning material considerations as well as obligations specific to the railway undertaker. The interface is via a NR BAPA (basic asset protection agreement) – the developer is advised that the works must not commence on site (even if planning permission is granted) until agreed with NR. The applicant will be liable for all costs incurred by NR in facilitating, reviewing this proposal.

For future reference, it is imperative developers/applicants consult neighbouring/affected statutory undertakers in advance of any construction work, to identify and mitigate potential risks to both sites including people using or working on the sites, in line with CDM 2015 and HSW 1974 legislation. Network Rail's ASPRO (Asset Protection) team's role is to support external parties in identifying risks associated with construction near the railway and mitigating these in advance of work starting. Most insurance policies include clauses relating to

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

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consultation with statutory undertakers, and external parties who do not consult appropriately in advance may find their insurance policy becomes invalid.

Measurements to railway tracks and railway boundary

When designing proposals, the developer and council 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, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones, vegetation) 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. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary.

Obligations

Properties adjoining or in the vicinity of the railway are frequently the subject of obligations, rights, exceptions and reservations for the benefit of Network Rail's land and railway. The applicant must review the title to their property to see whether any such obligations etc exist and ensure that there is no non-compliance or breaches of them or any interference with or obstruction of Network Rail's rights and reservations. If the proposed development would not comply with or would breach any of the terms of the conveyance, the developer must revise his proposals.

RAMS

The developer is to submit directly to Network Rail asset protection, 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.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- 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 or under the Network Rail boundary.
- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.

- Buildings, windows and structures must not over-sail Network Rail air-space/boundary.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Rainwater goods must not discharge towards or over the railway boundary
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.
- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Scaffolding

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, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

- Fall into the path of on-coming trains
- Fall onto and damage critical and safety related lineside equipment and infrastructure
- Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

Drainage proposals and Network Rail land

The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

- All surface waters and foul waters must drain away from the direction of the railway boundary.
- Soakaways for the proposal must be placed at least 30m from the railway boundary.
- Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.

Excavation and Earthworks and Network Rail land:

The applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they 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 the following:

- Alterations to ground levels
- De-watering works
- Ground stabilisation works
- Works to retaining walls
- Construction and temporary works
- Maintenance of retaining walls
- Ground investigation works must not be undertaken unless agreed with Network Rail.
- Confirmation of retaining wall works (either Network Rail and/or the applicant). Prior to the commencement of works on site the applicant must confirm with Network Rail if there are any retaining walls/structures and the applicant must interface with Network Rail to ensure that no retaining structures are impacted on a permanent basis by their proposal.
- Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.
- For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.

Network Rail would need to re view 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 council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The council 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.

Demolition

Any demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building(s), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Review of the method statement will be undertaken by the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service.

Basement / Deep Excavation Works

Where basement or deep excavations are proposed adjacent to the railway – Network Rail review and agreement of documents as well as supervision & an interface with Asset Protection are required.

- Excavations – ASPRO would require to review (including but not limited to);
- Earthworks RAMS
- Scale section drawing and plan – showing dimensions of basement, proximity dimensions from basement to the operational rail boundary fence and depth
- And if earth works battered back – as above – dimensions from rail boundary fence
- Advise if the basement excavation will be inside the track support zone envelope
- Temporary works earthworks support including RAMS and temporary works design
- Design to include:- demonstration that the temporary works and permanent construction will not import increased risk to the operational railway both during construction and in the long term
- Calculations, G.I. strata and design check certs, CEM and CRE design CVs and appointment forms
- Lifting plans (lifting e.g. temporary works support structure components in to place)
- Designed working platforms
- De-watering method
- Dust control

Lighting

To ensure the ongoing safety of the operational railway the applicant's lighting design must demonstrate no overspill of light onto Network Rail land. Lighting close to or adjacent to the railway boundary must not impact train driver's ability to perceive signals and therefore all column lighting is recommended to be:

- White LED
- Flat bottom luminaires
- Downlit throw lighting
- Lighting to be directed away from the railway boundary
- Avoid the use of flashing lights or screens as part of developments
- Avoid lighting of Green, Yellow and Red.

Access to Railway

All roads, paths, boundaries or ways providing access to any part of the railway undertaker's land both temporary and permanent, must remain open and unblocked (24/7, 365 – around the clock) both during construction works and as a permanent arrangement.

- The proposal must not encroach onto any Network Rail access road, paths or ways of access to any part of Network Rail land. This also includes emergency vehicles ability to access and exit Network Rail land.
- The proposal construction works must not prevent Network Rail from accessing its land.

Boundary treatments

Any structures on the applicant's land which runs seamlessly into a section of Network Rail infrastructure will require Network Rail agreement/comments and

interface/supervision to ensure that there is no impact to or increase in risk to Network Rail assets.

3m Gap

Network Rail **REQUIRES** that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that we can maintain and renew our boundary treatments. No part of the structure should over-sail the railway boundary or discharge rainwater goods onto or toward the railway boundary.

Trees

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. This document will be provided via the formal interface with Network Rail Asset Protection.

BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could 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.

Going forward in order for Network Rail to spend any time reviewing any submissions, provision of any asset information, attending any further meetings, assisting with discharging any planning conditions set etc, Network Rail will require the return of a signed BAPA (Basic Asset Protection Agreement) and relevant payment/ PO as noted in the estimate sent. Network Rail is a publicly funded entity and all outside party works, which these are, are cost recoverable as dictated to us by the ORR.

The local planning authority (LPA) are not responsible for the safe operation of the railway or our assets and the issues raised by the developer/applicant will ultimately need to be agreed by Network Rail engineering to ensure the proposed development does not interfere with the safety of the railway.

All new enquiries will need to be submitted via the ***Asset Protection and Optimisation - Customer Portal***

Link to ASPRO ACE Portal [ASPRO Network Rail Implementation \(oraclecloud.com\)](https://oraclecloud.com)

From there, the client can create an account and submit their enquiry. Enquiry will then be assigned to one of the Asset Protection team to progress. The assigned team member will then be in a position to review and comment on any submissions from the outside party.

Information for Developers / LPA regarding formal railway interface

Network Rail are required to carry out assurance of planning proposals on land adjacent to the railway. We are constrained by regulations around the use of public funds, which prevents us from spending time on private projects without recouping our costs from the proposer.

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

Appendix A

