

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements)  
Order – NR/PoE/TR/4.1



**TRANSPORT AND WORKS ACT 1992**  
**TRANSPORT AND WORKS (INQUIRIES PROCEDURES)**  
**RULES 2004**  
**NETWORK RAIL (HUDDERSFIELD TO WESTTOWN**  
**(DEWSBURY) IMPROVEMENTS) ORDER**

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**PLANNING**  
**SUMMARY PROOF OF EVIDENCE**  
***TONY RIVERO***

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Author	Network Rail
Date	5 October 2021

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**The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 5 October 2021***Proof of Evidence - Planning***1. PERSONAL DETAILS**

- 1.1.1 My name is Anthony Rivero. I am employed by Network Rail Infrastructure Limited (NR) as Town Planning Manager for the Eastern Region. I have been in my current position since 2010. I hold a BSc (Honours) in Town & Regional Planning from Dundee University and have been a Member of the Royal Town Planning Institute since 1987.

**2. DESCRIPTION OF THE WORKS FOR WHICH PLANNING PERMISSION IS SOUGHT**

- 2.1.1 Network Rail seeks deemed planning permission for capacity and speed improvements along the route including the quadrupling of the line, electrification, major works at Huddersfield, Mirfield and Deighton stations, a new station at Ravensthorpe, a new curve at Heaton Lodge and a grade-separated junction at Ravensthorpe.

**3. NATIONAL TRANSPORT POLICY**

- 3.1.1 The NPS (**NR33**) sets out the Government's strategic objectives for transport. Although the Scheme is not a nationally significant infrastructure project, the NPS does have some material weight on the Scheme because it delivers improvements to parts of the national rail network. The Scheme fully accords with the principles of the NPS.
- 3.1.2 There are other national transport policies and guidance issued by the Department for Transport relevant to the Scheme, as I explain in section 4 of my main Proof.

**4. LOCAL TRANSPORT POLICY**

- 4.1.1 Support for the Scheme can be found in a number of sub-regional and local transport policy documents. These include the TfN's Strategic Transport Plan and the CA Transport Strategy.
- 4.1.2 In particular the TfN strategic plan (**NR42**) identifies the Trans-Pennine Upgrade as the North's principal rail intervention for the next five years to deliver significant performance improvements, journey time savings and increased capacity.
- 4.1.3 Similarly, the CA's Strategy sees the Upgrade as a priority, with improved rail journey times and capacity improvements on the Trans-Pennine rail corridor a key priority for Kirklees.

**The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 5 October 2021***Proof of Evidence - Planning***5. LOCAL PLAN POLICY**

- 5.1.1 The Scheme is consistent with the visions and objectives in the Council's Local Plan (**NR 39**). It will assist in delivering economic, societal and environmental benefits for Kirklees.
- 5.1.2 Specific support for the Scheme is given in Policy LP19. It supports the development of strategic transport infrastructure and encourages proposals which will deliver such infrastructure. Specific mention is made of Network Rail's commitment to the electrification of the Trans-Pennine route.
- 5.1.3 The potential impact on the historic built environment is a key consideration. In addressing the Local Plan policy (LP35), detailed work (including the production of statements of significance) has been carried out in relation to the historic structures along the route and full justification for the proposals are contained in the accompanying Listed Building Applications (**NR10**).
- 5.1.4 In my evidence in section 6.3 I outline the impact of the Scheme on existing allocations and protected Mineral Infrastructure sites as identified in the Allocations & Designations Document 2019 (**NR40**). However, as these also relate to objections I address these later in both the main evidence and in this summary.
- 5.1.5 The Huddersfield Town Centre blueprint (**NR41**) makes reference to an enhanced station with better connections to the western side of the station, including a new station entrance and square. The SPD states that the planned Trans-Pennine upgrade provides a real opportunity to achieve this.

**6. NATIONAL PLANNING POLICY CONTEXT**

- 6.1.1 The Scheme is consistent with the NPPF (**NR29a**). The Scheme accords with the overarching principle at paragraph 11 of the NPPF that there is a presumption in favour of sustainable development. The Scheme will increase the connectivity across the Pennines and support economic growth. It accords with the economic, social and environmental policies set out in that document.

**7. SITE SPECIFIC OBJECTIONS AND REPRESENTATIONS**

- 7.1.1 With reference to the extant restoration scheme for Thornhill Quarry the Council have indicated they have no objection to the extension of time for the restoration works to be completed. In respect of Newlay Concrete evidence from others show that the operation can be re-oriented within the existing footprint to allow the continued operation of the facility. In both instances minerals policies are not compromised.

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- 7.1.2 As to the Scheme's effects on potential development at Dewsbury Riverside, it is Network Rail's position that the Scheme will not prejudice either the committed scheme or the wider housing allocation.
- 7.1.3 For the extant permission for 120 dwellings, NR have confirmed with the objector (No.36) that if they commence their development sooner than the Scheme, NR is committed to work to ensure that access to the site is always maintained, and the site remains developable.
- 7.1.4 In respect of the Dewsbury Riverside allocation, access could be taken from the roundabout to be constructed as part of the Scheme. The roundabout would minimise land take and impact of the Scheme on both sides of the railway. As the powers sought in the Order can only be justified in the delivery of the Scheme, the roundabout cannot be designed to facilitate the Dewsbury Riverside Masterplan. However, the roundabout as proposed in the Order can accommodate a fourth arm, should the need arise, to serve the allocation. In this way, the Order application does not stop, inhibit, or block the development of Dewsbury Riverside.
- 7.1.5 In terms of public open space, the proposed exchange land on the edge of Lady Wood is considered to be the most appropriate location within the emerging Masterplan.
- 7.1.6 I do not consider that the Scheme prejudices the permanent re-development of St Georges Warehouse in Huddersfield. The Scheme does not preclude any future uses of the site, or links from it. The extended subway at the station is designed with passive provision for a future extension to the warehouse side.
- 7.1.7 Other issues have been raised in respect of the absence of certain documents from the ES, which I do not consider materially alter its status. An objection relates to the development of Butt End Mills in Mirfield but again I do not consider it to be prejudiced by the Scheme. I have also addressed an issue raised by the Canals & Rivers Trust on specific detail surrounding fencing, and concerns raised by Kirklees Council in relation to Tree Preservation Orders.

**8. PLANNING CONDITIONS**

- 8.1.1 Proposed planning conditions are attached to the DPP. A Statement of Common Ground is expected to be agreed between NR & KC which includes a series of conditions which are to be included with the DPP. There are some areas of disagreement with respect to the use of tailpieces. However, the proposed conditions are consistent with the tests set out in the NPPF paragraph 57 as being necessary, relevant, enforceable, precise and

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reasonable. Other objector issues with regard to conditions are addressed in my Proof.

**9. CONCLUSIONS**

- 9.1.1 I consider there is clear policy support for the Scheme at national and local level. It is consistent with the Government's desire for the planning system to facilitate the building of a strong and competitive economy as set out in the NPPF. Moreover, it complies fully with the key Local Plan policy LP19, which clearly gives support to major infrastructure improvements in Kirklees.
- 9.1.2 The Scheme is a key component of a series of improvements to the Trans-Pennine route. Additional capacity and improved connectivity deliver a better rail network, with its benefits on climate change and sustainability.
- 9.1.3 Delivering new heavy rail infrastructure investment requires a balanced approach. It is clear from the evidence presented that the Order Scheme will improve accessibility, be of an appropriate design and will not create any unacceptable environmental effects.
- 9.1.4 It is my view that the need for the Scheme shows the planning balance is in favour of approving the Order. The inspector is requested to recommend that the Order be made, and that planning permission be deemed to be granted.
- 9.1.5 My proof of evidence includes my declaration as an expert witness which also applies to my summary of my evidence.