

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements)
Order – NR/PoE/JP/8.1



TRANSPORT AND WORKS ACT 1992
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NETWORK RAIL (HUDDERSFIELD TO WESTTOWN
(DEWSBURY) IMPROVEMENTS) ORDER

ENVIRONMENT
SUMMARY PROOF OF EVIDENCE
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Summary Proof of Evidence – Environment

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The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 5 October 2021*Summary Proof of Evidence – Environment***1. INTRODUCTION****1.1 Introduction**

- 1.1.1 I am an Environment Manager with Network Rail currently working on the Order Scheme and have been providing guidance for and review of environmental documentation produced in support of the TWAO since 2018. My evidence provides an overview of the likely environmental impacts of constructing and operating the Order Scheme, and then measures to avoid, reduce or remedy major or significant adverse impacts; what adverse environmental impacts would remain; and any anticipated environmental benefits.
- 1.1.2 My evidence considers environmental controls in general during the construction and operational period and looks in detail at the following topic areas:
- Air Quality (Main proof section 6.2);
 - Geology, soils and land contamination (Main proof section 6.4);
 - Water and Flood Risk (Main proof section 6.6);
 - Landscape and visual impact (Main proof section 6.8); and,
 - Climate effects (Main proof section 6.10).
- 1.1.3 The environmental topics of Heritage, Noise and Vibration, Biodiversity and Traffic and Transport are covered in standalone and separate proofs of evidence.
- 1.1.4 My evidence presents the key aspects of environmental design and construction management incorporated into the Order Scheme and outlines the residual environmental effects of the Scheme by topic area as detailed in section 1.1.2 of this summary proof.
- 1.1.5 I then consider specific environmental items raised in the Statement of Matters (Main proof section 6 in considering adequacy of the ES) before addressing the objections made to the TWAO that raise issues covered by the environmental topics in my evidence.

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- 2.1.1 The following information is provided in detail in section 4 of my main proof of evidence.
- 2.1.2 The railway corridor already exists between Huddersfield and Westtown (Dewsbury), which has influenced the Order Scheme design). The design has sought to avoid, reduce and compensate for environmental impacts wherever possible, using an iterative process informed by EIA and consultation, with environmental and sustainability considerations at its core through application of the mitigation hierarchy. This has included repositioning of infrastructure (e.g., Baker Viaduct clear span design) or temporary works (e.g., Fieldhouse Lane overbridge brought to site by engineering train) to reduce impact on or avoid environmental constraints and use of modern engineering solutions that reduce environmental impacts (e.g., MK3 gantry design for Overhead Line Equipment (OLE)).
- 2.1.3 Where it has not been possible to avoid environmental impacts, environmental works are proposed as an integral aspect of the Order Scheme, covering landscape, ecology, noise and vibration, heritage and the water environment. The landscape and ecology works are outlined in the Environmental Mitigation Plans included in the ES in Volume 4 Figures: Figure 2-3. Planting will be undertaken in accordance with a Landscape and Ecological Management Plan (LEMP) that will need to be submitted and approved under condition 4 of the Deemed Planning Permission (if granted). Vegetation will be reinstated in areas of temporary use.
- 2.1.4 The water environment measures include: a compensatory flood storage area in the Ravensthorpe area and a clear span over the River Calder for the new Baker viaduct to avoid a supporting pier in the flow of the river. The environmental design will be developed further in accordance with the Scheme drainage strategy in consultation with the Environment Agency and Kirklees Council, particularly in consideration of rail infrastructure drainage and culvert design.
- 2.1.5 Any additional environmental design items relating to the water environment and contaminated land will be developed further as required in accordance with an Environmental Design Plan that is a proposed condition of the Deemed Planning Permission (Condition 5(vii)).

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- 2.2.1 Mitigation during construction is outlined in detail in section 5 of my main proof of evidence.
- 2.2.2 Construction activities will principally be managed in line with the Code of Construction Practice Part A (CoCP), (ES Appendix 2.1, Volume 3). The CoCP Part A explains the high level controls and processes for all environmental management during construction. Secondly, it also sets out that a Part B is to be developed which will include a number of environmental plans that will be submitted to Kirklees Council for approval (condition 5 to the DPP). These further plans are identified in my main proof.
- 2.2.3 In addition, condition 6 to the DPP would require a Construction Traffic Management Plan (CTMP) that applies to the construction period and will detail all provisions approved by Kirklees Council highways relating to road closures and diversions.
- 2.2.4 Taken in combination, the CoCP Part A as included in the ES, the Part B environmental documents and the CTMP secure all the construction-related mitigation outlined in the Environmental Statement in each topic chapter and summarised in the ES in Volume 2i Scheme Wide Assessment: Chapter 23 Summary of mitigation.

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- 3.1.1 The Order Scheme has been subject to an EIA, which is reported in the Environmental Statement (ES), in four volumes. I summarise the content of the ES for the topics within the scope of my evidence in this section.

3.2 Air Quality

- 3.2.1 Potential effects from air quality emissions during construction are mitigated through the implementation of a Nuisance Management Plan (NMP).
- 3.2.2 No mitigation is required for the operational phase of the Scheme with a negligible benefit derived in moving from diesel-powered units to bi-mode electrified units.

3.3 Geology, Soils and Land Contamination

- 3.3.1 The potential residual effects during construction in considering geology, soils and land contamination are secured and managed through the implementation of DPP Condition 5(vii) Environment Design Plan, Condition 10 Contaminated Land and Condition 11 Unexpected Contamination.

3.4 Water and flood risk

- 3.4.1 Effects on water quality and flood risk during construction are principally managed through the CoCP Part B Pollution Prevention and Incident Control Plan (PPICP) (Condition 5(ii)).
- 3.4.2 In considering the operation of the railway, embedded design mitigation requires flood alleviation at Ravensthorpe and the agreed design of the Baker Viaduct.
- 3.4.3 No significant adverse residual effect on surface water quality or flood risk are expected during construction or operation of the Scheme.

3.5 Landscape and Visual

- 3.5.1 The CoCP Part A general environmental management document describes the mitigation required to manage the visual intrusion of construction activity. This mitigation will be secured by the NMP (condition 5(v)).
- 3.5.2 The Landscape and Ecological Management Plan (LEMP) that is secured by condition 4 is the mechanism by which visual effects during operation of the Scheme are mitigated as far as is reasonably practicable.

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3.5.3 At year 15, significant adverse effects remain from viewpoints at 12 locations on the Scheme.

3.6 Climate Effects

3.6.1 The effects on climate are assessed in the ES and there are no residual significant adverse effects. In operation the Scheme consumes less embedded carbon than currently as a stated benefit due to electrification and this addresses the Statement of Matters point concerning consistency with policy as set out in section 6.11 of my main proof of evidence.

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4. STATEMENT OF MATTERS

4.1 Adequacy of the Environmental Statement

- 4.1.1 The ES is compliant with the Application Rules as outlined in my main proof of evidence in section 4.3.

4.2 Justification for Disapplication of legislative provisions

- 4.2.1 I provide justification for the disapplication of specified legislative provisions in my main proof in section 8. In general, the Order acts as a global consent negating the need for further multiple applications once the Order is granted and ensuring the powers are in place for what would be considered core works subject to the protective provisions in Schedule 19 of the draft Order.

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5. BIODIVERSITY NET GAIN

- 5.1.1 Network Rail is committed to Biodiversity Net Gain (BNG), that is offsetting or replacing habitat lost and then adding 10% enhancement, calculated through the use of a DEFRA metric. This commitment is to be secured through a proposed planning condition. Please refer to section 7 in my main proof of evidence.

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- 6.1.1 Each of the objectors is considered in detail, by objector number, in section 9 of my main proof of evidence.

6.2 Objector 33 Kirklees Council

- 6.2.1 The objection from Kirklees Council includes various comments on environmental matters and this is dealt with in my main proof of evidence.
- 6.2.2 A draft Statement of Common Ground (SoCG) in terms acceptable to Network Rail has been submitted to Kirklees Council for their approval. The draft SoCG would remove objection on environmental matters outside of any final agreement on traffic measures.

6.3 Objector 35 Canal and River Trust

- 6.3.1 The Trust objects to the use of the CoCP to manage environmental effects during construction in preference to their own Code of Practice (CoP). The CoCP is a well-precedented and tried and tested mechanism to manage environmental effects during construction.
- 6.3.2 The Trust says that there are not sufficient viewpoints in the landscape assessment. Viewpoint coverage was agreed with Kirklees Council and it is considered that the canal network is appropriately covered in the ES.
- 6.3.3 The Trust seeks reassurance on the landscaping in the proximity of the Static Frequency Site (SFC). Landscaping is the subject of the LEMP condition and also a standalone condition for the SFC site and this is considered appropriate.

6.4 Objector 38 Huddersfield Football Club

- 6.4.1 There is objection to noise from construction. The CoCP Part B and required Noise and Vibration Management Plan will address noise mitigation during construction.
- 6.4.2 De-vegetation required for the works will not remove any existing vegetation that acts as a visual screen around the boundary of the training facility.

6.5 Objector 40 West Yorkshire Combined Authority

- 6.5.1 A communications plan is requested by the Combined Authority. An external communications plan is secured by condition 5(i).

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6.5.2 The commitment to skills and employment opportunities is outlined in the socio-economic chapter of the ES.

6.5.3 The Combined Authority comments on the subject of unacceptable air emissions. I suggest this is addressed in section 6.2 of my main proof of evidence.

6.6 Representation 03 Environment Agency

6.6.1 The EA considers that there is insufficient information detailing the absence of flood risk. The information in the ES including FRA, scheme drainage strategy and water environment chapter, contains all the relevant information. Network Rail is further consulting with the EA and has presented the information in ES in an alternative format for their reference.

6.6.2 The EA has raised some issues around the disapplication of existing legislative provisions. I have addressed this in my main proof of evidence in section 8.

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7. WITNESS DECLARATION

7.1 Statement of declaration

- 7.1.1 My proof of evidence includes my declaration as an expert witness which also applies to my summary of my evidence.