

TRANSPORT AND WORKS ACT 1992

**Transport and Works (Applications and Objections
Procedure) (England and Wales) Rules 2006**

**THE NETWORK RAIL (HUDDERSFIELD TO WESTTOWN
(DEWSBURY) IMPROVEMENTS) ORDER**

DOCUMENT NR14: PLANNING STATEMENT

Document Reference	151667-TSA-W3-MVL3-CNT-W-LP-000016
Author	Network Rail
Date	March 2021
Revision Number	Rev. 1

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

[this page is left intentionally blank]

CONTENTS

1. INTRODUCTION	3
1.1 Transport and Works Act Order	3
2. PLANNING STATEMENT	4
3. BACKGROUND TO AND NEED FOR THE SCHEME	5
4. SCHEME DESCRIPTION.....	7
4.2 Route Section 1 - Huddersfield	8
4.3 Route Section 2 - Hillhouse and Fartown.....	10
4.4 Route Section 3 - Deighton and Bradley.....	11
4.5 Route Section 4 - Colne Bridge and Battysford (Heaton Lodge area).....	12
4.6 Route Section 5 - Mirfield and Lower Hopton	13
4.7 Route Section 6 - Ravensthorpe and Westtown	14
5. SCHEME BENEFITS	16
6. SITE AND SURROUNDING AREA	18
7. PLANNING CONTEXT.....	19
7.1 Background - extant planning consents and allocations.....	19
7.2 Huddersfield	19
7.3 Mirfield, Ravensthorpe & Westtown.....	19
7.4 Unimplemented planning permissions and Local Plan site allocations.....	20
7.5 Planning Policy.....	20
7.6 National Planning Policy Framework, DCLG (2012).....	20
8. NATIONAL PLANNING PRACTICE GUIDANCE.....	24
8.2 National Policy Statement for National Networks.....	25
8.3 Local Planning Policy	27
8.4 KC Approved Local Plan (2019).....	27
8.5 Allocations & Designations Document (2019).....	30
8.6 Huddersfield Town Centre Blueprint SPD (2020)	30

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

8.7 Relevant Transport Policy	31
8.8 Regional Transport Strategy	33
9. PLANNING CONSIDERATIONS	35
9.2 Principle of the Scheme	35
9.3 Design	37
9.4 Green Belt	38
9.5 Agriculture	39
9.6 Air Quality	39
9.7 Biodiversity	41
9.8 Climate Effects	42
9.9 Climate Vulnerability	43
9.10 Geology, Soils and Land Contamination	44
9.11 Historical Environment	45
9.12 Landscape and Visual Impact	49
9.13 Noise and Vibration	51
9.14 Population and Human Health	53
9.15 Public Open Space	56
9.16 Social-economic	57
9.17 Traffic and Transport	58
9.18 Waste and Materials	59
9.19 Water Environment	60
10. PLANNING CONDITIONS	61
11. CONCLUSION	62
Appendices	64

[this page is left intentionally blank]

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

GLOSSARY/ LIST OF ABBREVIATIONS

DfT	Department for Transport
DNO	Distribution Network Operator
DPD	Development Plan Document
Down	The terms “Up” and “Down” are Rail industry standards; and are defined thus: “ Up ”: relevant to the location, it is moving in a direction to Huddersfield and Manchester from Leeds; “ Down ”: in a direction away from Manchester and Huddersfield and to Leeds.
EA	Environment Agency
ECML	East Coast Main Line
EIA	Environmental Impact Assessment
ES	Environmental Statement
FRA	Flood Risk Assessment
GPDO	Town & Country Planning (General Permitted Development) Order 2015
KC	Kirklees Council
LNW	The former London & North Western railway route from Manchester Victoria through Huddersfield and Dewsbury to Leeds
LTP	Local Transport Plan
L&Y	The former Lancashire & Yorkshire railway route from Manchester Victoria through Rochdale and Hebden Bridge to Mirfield, Wakefield, Normanton & York
MDL1	Engineer’s line reference for the Manchester, Dewsbury & Leeds railway line, used to identify individual structures and mileages.
MVL1	Engineer’s line reference for the Manchester Victoria to Leeds railway line, used to identify individual structures and mileages.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

MVN2	Engineer's line reference for the Manchester Victoria to Normanton railway line, used to identify individual structures and mileages
NGR	National Grid Reference
NPPF	National Planning Policy Framework
NPS	National Policy Statement For National Networks
OHLE	Overhead Electric Line Equipment
SPD	Supplementary Planning Document
TWAO	Transport and Works Act Order
TOC	Train Operating Company
Up	The terms "Up" and "Down" are Rail industry standards; and are defined thus: "Up" : relevant to the location, it is moving in a direction to Huddersfield and Manchester from Leeds. "Down" : In a direction away from Manchester to Huddersfield and Leeds.
WYCA	West Yorkshire Combined Authority

1. INTRODUCTION

1.1 Transport and Works Act Order

- 1.1.1 Network Rail Infrastructure Limited (“Network Rail”) is applying to the Secretary of State for Transport for a Transport and Works Act Order to authorise the construction and operation of the Trans-Pennine Upgrade (Huddersfield to Westtown) Scheme (“the Scheme”).
- 1.1.2 The purpose of the application for the Order is to provide Network Rail with powers to authorise the upgrade of the existing Trans-Pennine route between Huddersfield and Westtown (Dewsbury), together with the delivery of station improvements works at Huddersfield and the construction or reconstruction of stations at Deighton, Mirfield and Ravensthorpe.
- 1.1.3 The aim of the Scheme is to increase capacity, improve journey times and increase resilience (reliability) on the route, including provision for electrification. The upgrade will play an important role in providing rail improvements along the whole line between the Leeds and Manchester allowing for faster journeys and more trains between urban areas in the North.
- 1.1.4 The Scheme also involves the need for powers of compulsory land acquisition. As elements of the Scheme are beyond the scope of Network Rail’s permitted development rights, a Transport and Works Act Order (TWAo) is required to authorise the Scheme. The application process for a TWAo is governed by the Transport and Works (Applications and Objections) (England and Wales) Rules 2006 (“the Application Rules”).
- 1.1.5 The application under the 1992 Act will be determined by the Secretary of State for Transport. Pursuant to Rule 10(6) of the Application Rules, the TWAo is accompanied by a request for a Planning Direction from the Secretary of State for Transport under section 90(2A) of the Town and Country Planning Act 1990 which, if given, would deem the grant of planning permission for the Scheme.
- 1.1.6 At the time of submission, the following documents make up the TWAo application for the Scheme:
1. Draft Order;
 2. Explanatory Memorandum explaining the purpose and effect of each article in the draft Order;
 3. Statement of Aims;
 4. List of consents, permissions or licences required under other enactments;
 5. Trans-Pennine Upgrade TWAo Consultation Report;

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

6. Environmental Statement;
7. Funding Statement;
8. Estimate of Costs;
9. Order Plans;
10. Book of Reference; and
11. Request for Deemed Planning Permission.

1.1.7 In addition to the above, the following documents have also been included in support of the TWAO application:

- a) Planning Statement;
- b) Detailed Planning Drawings
- c) A Design and Access Statement and Huddersfield Station Design and Access Statement;
- d) Code Of Construction Practice (Part A)
- e) Open Space Certificates & Plans

1.1.8 In parallel to the TWAO submission. Network Rail is also seeking Listed Building Consents under the Planning (Listed Building and Conservation Area) Act 1990 for the works affecting listed structures which will be necessary to implement the Scheme.

2. PLANNING STATEMENT

2.1.1 This Planning Statement has been prepared to support the TWAO submission and is set out as follows:

- Section 3 of this Statement sets out the background to and the need for the Scheme.
- Section 4 sets out a full description of the works proposed as part of the Scheme.
- Section 5 sets out the benefits of the Scheme.
- The location of the site and the surrounding character and landscape is described in Section 6.
- Section 7 provides a summary of the relevant planning context, describing current planning applications and planned developments within and close to the application site.
- Section 8 considers relevant national and local planning and transport policy. The National Planning Policy Framework (NPPF) provides the planning policy context for this planning request. The NPPF is analysed in relation to the objectives to be met by the Scheme.

- Section 9 contains an assessment of the development proposals against all relevant planning policies.
- Section 10 sets out the proposed planning conditions pertinent to the Huddersfield to Westtown Upgrade Order.
- Section 11 concludes that the proposed development accords with planning and transport policies, brings substantial benefits and should therefore be approved.

3. BACKGROUND TO AND NEED FOR THE SCHEME

- 3.1.1 The Trans-Pennine Route is a key strategic rail route across the North of England with the core route linking Manchester and York, via Huddersfield and Leeds.
- 3.1.2 The Scheme forms part of a wider upgrade to the whole of the Trans-Pennine Route (TRU), which comprises a series of projects between Manchester, Huddersfield, Leeds and York with the objective being to improve journey times and capacity between key destinations on the line, improve overall reliability and resilience, and provide environmental benefits from modal shift to rail and part electrification.
- 3.1.3 The wider TRU upgrade programme is being designed as a phased programme of interventions with each set of interventions being delivered as separate projects, alongside each other. A breakdown of the interventions included in the wider TRU Project but which do not form part of the Scheme is included in the appendix to the Statement of Aims document (NR04).
- 3.1.4 Between York and Manchester there are several very constrained route sections, the unlocking of which are fundamental to achieving the TRU programme outputs. The most important of these, is the section of line between Huddersfield and Thornhill LNW Junction at Ravensthorpe.
- 3.1.5 Along this section of the Trans-Pennine route there are a significant number of conflicting train movements as the corridor is crossed by the Brighouse to Wakefield (Calder Valley) route. Furthermore, Huddersfield is a busy regional interchange station with many services terminating or originating, which adds further conflicting train paths. These conflicting train paths severely limit the available capacity in this area, and any late running services have an enormous impact on punctuality and overall performance of train services on the entire Trans-Pennine route.
- 3.1.6 Trans-Pennine trains are a mixture of local, regional and inter-regional services with a wide variety of departure and termination points across a complex and constrained route network. Therefore, it is very common in this route section for trains to present themselves running out of timetable sequence, with delays magnifying themselves for long durations especially at peak periods. Studies undertaken along the route show that less than 38% of services run to timetable (within 1min) and the overall PPM measure

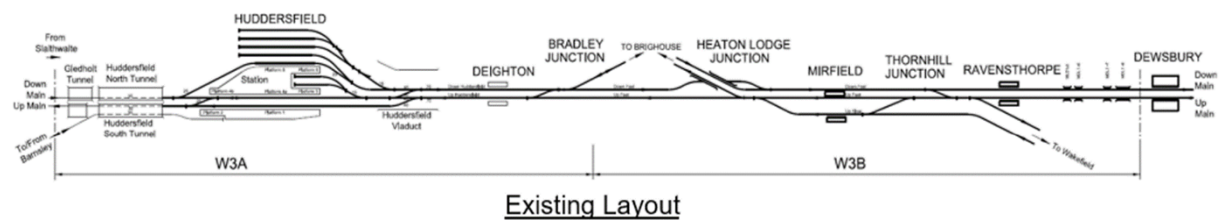
The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

(0-5min delays) across the 4 core stations of York, Leeds, Huddersfield and Manchester is less than 75%. The recent introduction of a new enhanced timetable in May 2018, with additional Trans-Pennine services running via Manchester Victoria, led to a significant decline in overall performance and further demonstrated that the railway is running at or beyond capacity, with a very significant portion of delays severely affecting stations in the Huddersfield, Dewsbury and Leeds demographic.

- 3.1.7 The operational layout in this section is predominantly a two-track railway, although there is a passing loop in the up direction between Ravensthorpe and Heaton Lodge junction, which allows some regulation of freight and stopping passenger services heading towards Huddersfield or Brighouse via the Calder Valley line. In the down direction towards Leeds there is no similar opportunity for train regulation. There are three flat junctions at Ravensthorpe (Thornhill LNW junction), Heaton lodge Junction and Bradley Junction all of which contribute to service conflicts. It is also worth noting that the entire route section between Huddersfield and Ravensthorpe was historically a 4-track railway which was rationalised through the 1960 and 1980's to the current arrangement.



- 3.1.8 In summary the operational layout of the railway in this route section is inadequate for both existing and proposed future enhancements to rail services. It has numerous points of movement conflict and very limited ability to regulate train services in order to overcome those conflicts or recover from a late running timetable, with a tendency for delays to be magnified over long periods affecting a wide geography extending well outside of the immediate region. This situation is one of the prime contributors to the wholly inadequate experience for long distance, regional and local passengers alike, and is a severe drag on economic and social activity within the Kirklees district.
- 3.1.9 The purpose of the Scheme is to address the constraints summarised above to increase capacity, improve journey times and reliability of train services that serve both the Scheme Route and the Trans-Pennine route. To achieve this purpose the Scheme comprises a number of interventions on the Scheme Route which are described below by reference to six specific Route Sections. The works to be undertaken in each of these Route Sections is set out fully in section 3 below.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 3.1.10 The High Level Output Statement (HLOS) sets out information for the Office of Rail and Road and for the rail industry about what the Secretary of State for Transport wants to be achieved by railway activities during railway Control Period 6, April 2019 to March 2024 (CP6). The Secretary of State for Transport announced as part of this, funding for the completion of the TRU, including the Scheme.
- 3.1.11 The Department for Transport also published its five-year Rail Network Enhancements Pipeline (RNEP) in 2019 listing projects to increase the capabilities of the rail network in England & Wales where development is being funded as part of the enhancements budget in CP6. Section 4, paragraphs 4.6 & 4.7 of the RNEP confirm this and states that the Transport Secretary will set aside £3bn of investment to provide improvements to journeys times, capacity, and reliability along the route.

4. SCHEME DESCRIPTION

- 4.1.1 This section sets out a description of the works required as part of the Scheme.
- 4.1.2 The Scheme lies wholly within the Kirklees Metropolitan District Council administrative area and comprises 14km of existing railway between Branch Street (MVL3/84), 1.7km west of Huddersfield station and Webster Hill, Westtown which is 280m west of Dewsbury Station.
- 4.1.3 The main features of the Scheme are:
- The entire Scheme will be subject to electrification. These electrification works start to the West of Huddersfield station at Branch Street (MVL3/84).
 - The track works for the Scheme also commence west of Huddersfield Station at Branch Street (MVL3/84) through the existing Gledholt and Huddersfield railway tunnels. Within the tunnels track lowering works are required to facilitate the provision of electrification equipment. At Huddersfield station the railway is remodelled to support an electrified four-track railway with works planned within the station itself to support such remodelling works including alterations to platforms and roof structure (for more detail see paragraphs 2.4.46 to 2.4.47). East of Huddersfield Station a four-track railway is reinstated from the Huddersfield viaduct across the Scheme area to the west of Westtown. This will allow for the segregation of fast and slow trains. There are works planned to reconstruct Deighton and Mirfield Stations including the relocation of platforms. A new station will be built at Ravensthorpe to the west of the site of the existing Ravensthorpe Station and the planned grade separation of the railway. The existing Ravensthorpe Station will be demolished. The railway grade separation (flyover) at Ravensthorpe will enable the fast and slow trains to pass over the existing Wakefield lines and cross the River Calder and the Calder and Hebble Navigation in this area.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- At Heaton Lodge, in the centre of the Scheme, the fast lines are separated from the slow lines in a new section of line in a cutting which will facilitate line speed increases and deconflict trains with those joining from the Calder line.
- Throughout the Scheme area there are works to various existing bridge structures these can vary from increasing the parapet height to reconstruction to accommodate the 4 tracks and electrification of the route. This will result in works to key highway routes within the Scheme area.
- There are also works to existing railway embankments and cuttings along the Scheme area to accommodate and support the new railway infrastructure.
- Finally, there are various temporary construction compounds and new permanent access points to the railway along the Scheme area as well as utilities diversions and provision of ancillary railway equipment to support the safe operation of the railway.

4.1.4 As well as the works identified above, various other engineering works are necessary including strengthening and replacement of bridge decks (rail and highway); electrification of the line and provision of associated infrastructure will require raising the height, demolition of or replacement of bridge structures.

4.1.5 Power requirements for the railway will be met through the provision of electricity sub-stations and other Distribution Network Operator (DNO) equipment.

4.1.6 There will also be temporary and permanent impacts on a number of highways and Public Rights of Way (PRoW) including; temporary stopping up of certain routes and temporary and permanent alignment diversions for others.

4.1.7 The Scheme has been split into six Route Sections for the purposes of design based on geography. The Route Sections are as follows;

- Route Section 1 - Huddersfield
- Route Section 2 - Hillhouse and Fartown
- Route Section 3 - Deighton and Bradley
- Route Section 4 - Colne Bridge and Battyeford
- Route Section 5 - Mirfield and Lower Hopton
- Route Section 6 - Ravensthorpe and Westtown (Dewsbury)

4.1.8 The following sections set out a description of the works proposed as part of the Scheme in each of the Route Sections.

4.2 Route Section 1 – Huddersfield:

4.2.1 The track works commence west of Huddersfield Station at Branch Street (MVL3/84) through the existing Gledholt and Huddersfield railway tunnels. This section of the Scheme will remain as a two-track railway.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 4.2.2 Within the Gledholt and Huddersfield railway tunnels (and areas of cutting between these tunnels) horizontal track realignment works are required to facilitate the provision of electrification equipment. These horizontal track realignment works will consist of track lowering to ensure there is sufficient space between the pantograph and the tunnel/structure walls. Due to spatial constraints no additional tracks are proposed to the west of Huddersfield Station.
- 4.2.3 Due to the proposed works to lower track alignments within the Huddersfield Tunnel, there is a need to excavate down into the bedrock by up to 500mm and so as a stability and strengthening measure rock anchors (metal bars) will be drilled into the surrounding rock on the sides of the tunnel, these anchors will extend approximately 5m beyond the tunnel and will be spaced at approximately 10m intervals.
- 4.2.4 At Huddersfield Station (which is Grade I Listed) works for the four tracking of the railway will commence. The current station arrangement is three through platforms and three bay platforms. A new track layout is proposed which together with new signalling arrangements will allow for the deconfliction of services passing and stopping at the station. An additional through platform will be provided to the north of the station, this will involve removal of the existing sidings which will be re-provided at the Hillhouse site.
- 4.2.5 At Huddersfield station itself the following works are planned:
- Main train shed – structural works to maintain and strengthen. Two bays at Manchester end of canopy to be demolished. Two new bays at Leeds end of platform 1;
 - Reinstatement of main train shed lantern;
 - Smaller train shed to be demolished. New roof to be constructed to cover platforms to north;
 - Free standing canopies to be constructed over island platforms to eastern end of station;
 - Extension of canopy to service Penistone Line;
 - CCTV, Visual and audio announcements will be provided on platforms;
 - Lighting and OLE – freestanding infrastructure proposed on platforms;
 - Relay room – to be demolished;
 - Tea rooms – to be retained but relocated within island platform. Timber structure to be dismantled and reconstructed;
 - Additional access and egress through the station and platforms is required. A covered footbridge, with stairs and a lift, is to be constructed to the eastern end of the station (MVL3/91AA Huddersfield station footbridge); and

- Extension to existing subway MVL3/91 (of 12.5m) required to service the new island platform to the north of the station.

4.2.6 To the east of Huddersfield station is Huddersfield Viaduct (MVL3/92) which is Grade II listed. Realignment of the existing track is required as a five-track railway will be constructed as the Scheme exits the station; this will reduce to four tracking as it continues across the viaduct. It should be noted that the railway from Huddersfield Station is on a historic five-track bed as far as Hillhouse, then a historic four-track bed beyond.

4.2.7 Specific works include widening of the western most spans of the viaduct including MVL3/92(1) John William Street Underbridge, immediately to the east of the proposed platform ends. Works will also be required along the viaduct structure to raise parapet heights and strengthening of spandrel and some localised arch repairs including ring/pinning and grouting is required at MVL3/92(S) Castlegate .Bridge deck replacement of structure MVL3/92(29) Bradford Road is also required.

4.3 Route Section 2 - Hillhouse and Fartown:

4.3.1 A new temporary platform is to be constructed at Hillhouse; this will enable passenger train services to continue to operate during the planned closures (blockade) at Huddersfield Station during the construction phase. Overnight stabling sidings (3No.) will be constructed to replace the removed sidings provision at Huddersfield Station. Following construction works, the temporary platform will be removed and this area of the site will be used to provide an access track to the railway access maintenance point (Road Rail Access Point (RRAP) near to Red Doles Road Underbridge (MVL3/96). The stabling sidings (3No.) will remain as part of the operational phase.

4.3.2 Works to Hillhouse Lane Underbridge (MVL3/94) involves spandrel strengthening with some local arch repairs / ring pinning / grouting. At Red Doles bridge (MVL3/96) the existing walkway will be removed and be replaced with two Z-type decks. The fast lines will be constructed on the empty abutments to the south (the original bridge having been removed) though on new cill beams.

4.3.3 Field House Lane Overbridge (MVL3/98) will be re-constructed through the removal of the bridge deck, and replacement with a new standard footbridge on the existing abutments. An outfall concrete wall is required at Field House Lane Culvert (MVL3/98A). The metallic spans of Ridings Underbridge (MVL3/99) will be removed and replaced with pre-cast concrete arch on a piled foundation abutting the masonry arch. Potential land take will be required for earthworks regrading or a new retaining wall to the south of the railway at this location. Peel's Pit Underbridge (MVL3/100) will be infilled and the buried services diverted/protected.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

4.3.4 Retaining walls at various locations in this section require replacement or removal and, in one location at Red Doles Lane, a new retaining wall is required.

4.3.5 At Hillhouse Yard it is also proposed to utilise the extensive area (7Ha) for the purposes of a construction hub to serve the whole route.

4.4 Route Section 3 - Deighton and Bradley:

4.4.1 From Hillhouse to Deighton Station four-tracking is proposed within the existing rail corridor. Towards Deighton are lengths of approximately 200 m and 100 m respectively where earthworks extend outside of the current Network Rail boundary.

4.4.2 At Deighton Station, the track currently runs through two side platforms. The works will see the existing Deighton Station platforms relocated to the west of their current position. The new track alignment will see the slow lines serviced by an island platform. No platforms will be provided to the fast lines at this location as express services do not call at Deighton Station.

4.4.3 The station is to be retained at its existing location albeit the platforms are to be relocated west. Currently there are two circa 90m long platforms with ramped access provided to each platform directly from Whitacre Street. There is no access provided between the platforms.

4.4.4 The works at the station will comprise;

- Construction of two platforms to serve the stopping services on the slow lines. The platforms will provide a 150m of usable platform. The current platform length is 85m;
- The fast lines will not be platformed;
- 2No. waiting shelters plus seating areas to be provided at 50m intervals;
- Visual and audio announcements will be provided on platforms;
- CCTV and lighting will be provided on both platforms, forecourt and station entrance;
- Station access will be via a new forecourt located to the south east of the existing station. Access will be from Whitacre Street, provision will be made for 3No. blue badge accessible parking spaces, a maintenance parking bay and a turning head; and
- The platform will be accessed via a new footbridge (Deighton station footbridge (MVL3/100B)) with stairs and a lift.

4.4.5 Four tracking continues through Bradley. The alignment through this section of the Scheme is heavily constrained by tight land boundaries, watercourse crossings, low clearance overbridges, adjacent properties and a steep ruling gradient.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 4.4.6 Works to Whitacre Street Overbridge (MVL3/101) will involve removal of the existing deck and its replacement with a new 16m span 12.8m wide precast concrete beam deck on top of the existing substructure. Multiple services will need to be temporarily supported/diverted.
- 4.4.7 The A62 Leeds Road Overbridge (MVL3/102) will require reconstruction. A new offline 48m span bridge is proposed to the west of the existing alignment. This will involve an alteration to the highway alignment with highways approach embankments and highways works to increase the vertical and horizontal clearances. This will avoid a prolonged full road closure and traffic diversions.
- 4.4.8 Colliery Lane (Wheatley's) Overbridge (MVL3/103) is Grade II listed. This asset will require demolition (due to a conflict with the new p-way) and will be replaced with a new cycleway overbridge. Existing utilities will be diverted into the new structure.
- 4.4.9 Works are also required at Bradley's No. 2 Overbridge (MVL3/105) including parapet raising (to 1.8m). Demolition of the historical abutment under the bridge is required.
- 4.4.10 The proposed 4 track p-way conflicts with the existing Grade II listed Colne Bridge Road (B6118). As such a replacement bridge is required, necessitating demolition of the existing structure. Network Rail recognise the significant public benefit which can be achieved through the provision of a new two-lane highway and thus we have agreed to provide a widened structure.
- 4.4.11 Details on culverts and altered and new retaining walls can be found in the Environmental Statement Volume 2i Chapter 2.

4.5 Route Section 4 - Colne Bridge and Battyeford (Heaton Lodge area):

- 4.5.1 A section of new railway track (1km in length) is proposed at Heaton Lodge to facilitate provision of the fast lines.
- 4.5.2 Currently the railway passes through Heaton Lodge Junction which is formed from the MVL lines running north east, with the Manchester Victoria to Normanton line (MVN) joining from the north-west. The Scheme will deliver two new lines to the south of the junction which will contribute to the Scheme aims of deconflicting train services as direct (express services) will be able to bypass the junction thereby improving journey time. The fast lines will be within a cutting (up to 12m deep) and will require the acquisition of third-party land. The slow lines will remain within the existing operational railway boundary with the line from Huddersfield to Leeds (down line) passing on its existing alignment through Cooper Bridge Junction and under the location of the existing Heaton Lodge Footbridge (MVL4/4) and the up line (to Huddersfield) running on the southernmost existing line and passing over the location of the existing Helm Lane

underbridge (MVN2/188). The fast lines will continue to run on existing third-party land to the south of the operational rail boundary until Wood Lane Underbridge (MVN2/190), where the proposed new lines re-join the existing rail corridor.

- 4.5.3 Strengthening works will be necessary for bridges MVL3/108 and MVN2/190. Alterations are also required to bridge MVL3/109 and this includes replacement of the metallic span and potential condition repairs to masonry. Diversion of a Yorkshire Water mains sewer is also required.
- 4.5.4 A Power Supply Unit (PSU) will be constructed at this location (approximate Chainage A:47450) to replace existing infrastructure to the west of Heaton Lodge cottages. A new Fixed Telephone Network mast is also proposed within the Heaton Lodge curve area, to replace an existing facility, though the exact location and height of this asset is to be confirmed.
- 4.5.5 A new maintenance access is required at Heaton Lodge, with vehicle access anticipated to be taken from Wood Lane. This will provide access to the new section of railway and options are being considered which may integrate this provision with the new Public Right of Way structure.
- 4.5.6 Details on culverts and altered and new retaining walls can be found in the Environmental Statement Volume 2i Chapter 2.

4.6 Route Section 5 - Mirfield and Lower Hopton:

- 4.6.1 Four tracking and track alignment works will be carried out on the existing railway between Wood Lane Underbridge (MVN2/190) and Mirfield Station. Through this corridor the railway passes under Woodend Lane Overbridge (MVN2/191) and across the Mirfield Viaduct (MVN2/192).
- 4.6.2 Mirfield Station is currently formed from an island platform (and side platform (Platform 3) adjacent to the car park. The new track alignment will see the slow lines serviced by an island platform. No platforms will be provided to the fast lines at this location as express services do not call at Mirfield Station.
- 4.6.3 The works at Mirfield comprise:
- Reconstruction of the island platform. The platforms will provide a 150m of usable platform. The current platform length is 100m;
 - Fast lines are proposed to run to the south of the station footprint and will not be platformed as services do not stop at this location;
 - The island platform will be provided with two waiting shelter seating areas at 50m intervals;

- Improved connectivity to existing bus routes and Mirfield town centre. Step-free access will be provided from platforms to Station Road by means of a lift. This will be located to the east of Station Road. The existing access to the west of Station Road will be infilled. A new footbridge (Mirfield station footbridge (MVN2/193A)) will be provided from the drop off area and car park to the platform accessed via steps and a lift;
- Visual and audio announcements will be provided on platforms;
- CCTV and lighting will be provided on the platform, in the station entrance and car park; and
- The station car park is to be retained in its current location (56 spaces including 4 blue badge spaces). During construction this area will be used as a construction compound and so temporary parking will be made available to the south of the station.

4.6.4 For bridge MVN2/192A (Mirfield Viaduct) strengthening of the bearers and rivets will be needed, along with the positioning of OHLE on the outside of the parapets; at MVN2/193 (Station Road) deck replacement will be needed to accommodate the revised platform works.

4.6.5 MVN2/196 Wheatley's Bridge (No. 2) is a Grade II listed structure. Assessment works are ongoing but it is anticipated that strengthening works within the stone arches will be required, along with correct positioning of OHLE.

4.7 Route Section 6 - Ravensthorpe and Westtown:

4.7.1 As the Scheme passes into the Ravensthorpe area the fast lines are positioned to the south of the proposed railway alignment throughout (new railway for a length of 1.3km). To achieve this layout, the fast lines need to cross over the slow lines towards Wakefield (MVN) and are therefore on a rising gradient at the location. The grade separated junction is formed from a concrete intersection structure (Baker Intersection (RBA1/1)) and earthwork embankments which carry the railway alignment onto the new Baker Viaduct (RBA1/2). The works for the grade separated junction and subsequent levels change in the railway at this location will also mean that works are needed to re-align the Calder Road overbridge (MVN2/202).

4.7.2 At Ravensthorpe the existing station will be closed. The works for the new station will comprise:

- Provision of an island platform to serve the stopping services on the slow lines. The new island platform will be 150m long with future passive provision to extend this to 200m;
- Fast lines will not be platformed;

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- The platform will be provided with two waiting shelters seating areas at 50m intervals per platform;
 - Visual and audio announcements will be provided on platforms;
 - CCTV and lighting will be provided on both platform, forecourt and station entrance;
 - The station will be accessed from the south via a new forecourt from a roundabout on the realigned Calder Road consisting of three number blue badge accessible parking spaces, a maintenance parking bay and a vehicle turning head;
 - The platform will be accessed via a footbridge (Ravensthorpe station footbridge (MVN2/201A)) with stairs and a lift. The footbridge will be level with the new forecourt; and
 - The existing station (platforms and footbridge (MVL1/4)) will be demolished.
- 4.7.3 The multi-span Baker Viaduct (RBA1/2) is proposed to carry the fast and slow lines over the Calder and Hebble Navigation Canal, and the River Calder.
- 4.7.4 The existing railway over the River Calder floodplain up to Thornhill Road (approx. 1.5km) is to be decommissioned as operational railway. This includes the Grade II listed cast iron viaduct structures, Calder & Hebble Canal Underbridge (MDL1/6) and River Calder Underbridge (MDL1/8)). No future plans for these structures have been identified and at present should be assumed to be closed and retained by NR as redundant assets.
- 4.7.5 Track realignment works are still necessary in the area to the east of the new viaduct with the railway alignment moved to the north for line speed improvement. The railway returns to the existing rail corridor at the Watergate Road underbridge (MDL1/13) and reverts back to two tracks at this location.
- 4.7.6 The existing highway bridge, Calder Road Overbridge (MVN2/202), is to be demolished with a new overbridge constructed to the west. This will result in changes to the road alignment both horizontally and vertically to ensure the clearance distance from the railway will allow for the required track works (including the flyover feature) and OLE provision.
- 4.7.7 A new Static Frequency Converter Feeder Station Site will be provided in the triangle of land between the new viaduct and the L&Y lines to Wakefield.
- 4.7.8 Further east, the B6117 Fall Lane, Thornhill Road Underbridge (MDL1/9) will require a bridge deck replacement and widening, resulting in realignment of Thornhill Road. The Grade II listed Occupation Underbridge (MDL1/10) to the east is proposed to be infilled, with access to the residential property diverted to run through the nearby industrial estate. Toad Holes Underbridge (MDL1/12) is also a Grade II listed bridge. It is proposed to reconstruct the central part of deck leaving the heritage features (outer girders and parapets) intact. The same is applicable to Ming Hill Underbridge (MDL1/14).

5. SCHEME BENEFITS

- 5.1.1 Through the provision of a 4 track railway throughout the Scheme Route, the Scheme will provide the capability to segregate both freight and passenger trains (slow and express) to travel between Dewsbury and Huddersfield, in both Up and Down directions without having to use the same lines, reducing a key conflict on the network. It will provide a key location where services can be managed so that it limits any detrimental impact on performance. By having dedicated fast and slow lines for the route in this location, freight and regional services can be separated more regularly, and more services can be operated on the individual lines. Also, should a train suffer a reliability issue whilst in this section, currently it leaves only one track to operate bi-directionally. By increasing the number of tracks, it provides more flexibility to move different services between up and down lines.
- 5.1.2 Currently the Scheme Route has various speed limits. Whilst these limits will remain on the slow lines, the Scheme through the provision of a 4 track railway with dedicated segregated fast line provision will allow for faster line speeds on the fast lines (100mph throughout) and thus improves the journey time and increases the flexibility to timetable more train paths on the Scheme Route and the Trans-Pennine route.
- 5.1.3 The Scheme will provide four fully accessible, and compliant stations (Huddersfield, Deighton, Mirfield and Ravensthorpe), with step-free access, drop-off arrangements, and blue badge parking now available at all. Previously only available at Huddersfield station.
- 5.1.4 The new grade separation to be provided by the Scheme at Ravensthorpe will remove a key conflicting train movement currently performed by trains accessing/exiting the Wakefield lines in this location. With the works as planned, the fast (express) services will not cross the slow lines in this location. The relocation of Ravensthorpe station will also allow for Wakefield trains to stop at the relocated Ravensthorpe station (subject to demand and TOC timetabling).
- 5.1.5 The Scheme will provide more resilience to the rail network in times of perturbation, by having the increased number of tracks available in both up and down directions. In addition the Scheme's provision of increased platform capacity at Huddersfield station (coupled with track layout improvements at the station) will increase the number of platforms available at Huddersfield station and so allow for more train crossing moves to the West of the station. This is critical in managing increased numbers of services, ensuring their performance requirements are met, and journey times are achieved. There will be the ability to platform a train in either direction at a number of platforms in Huddersfield to ensure there are fewer bottlenecks and less requirement to 'queue' at the station.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 5.1.6 The Scheme will also deliver new track, and electrification equipment, which will be more reliable than the older rail assets which currently exist on the Scheme Route so improving the reliability of the Route Section and the train services operating on it.
- 5.1.7 This Scheme will deliver a fully electrified section of TRU, with train fleet changes being made to allow bi-modal trains to make use of the benefits of an electrified section. This accords with Network Rail's Decarbonisation Strategy that seeks electrification of routes, and areas, where appropriate. TRU was identified specifically in the Strategy, and this area being electrified supports that aim. Electrification also assists with journey time and performance by allowing trains to accelerate faster, and brake more efficiently.
- 5.1.8 The Scheme is a key contributor towards the delivery of the TRU and the full realisation of the aims of the overall TRU programme of works, which provides the TRU framework for investment and network management, to better meet capacity requirements. The Scheme Route is the main bottleneck on the Trans-Pennine route where significant capacity and performance issues are currently encountered, and without the Scheme, the overall TRU aims would not be achieved.

The overall objectives of TRU are:

- An improved journey time for Leeds – Manchester Victoria of 43-44mins
(This Scheme delivers on this journey time improvement aim through the provision of dedicated fast lines, increased fast line running speeds of 100mph and electrification throughout the extent of the Scheme Route)
- An improved journey time for York to Manchester Victoria of 67-69mins
(This Scheme delivers on this journey time improvement aim through the provision of dedicated fast lines, increased fast line running speeds of 100mph and electrification throughout the extent of the Scheme Route)
- Capability to operate 8 'express services' an hour on the route
(This Scheme delivers on this capacity improvement aim by removing the existing bottleneck through the provision of 4-tracking throughout the Scheme Route, removing conflicting train movements at Ravensthorpe and improving train movement capacity at Huddersfield station through the provision of additional platform capacity and track layouts)
- Capability to operate 6 'local services' an hour on the route
(This Scheme delivers on this capacity improvement aim by removing the existing bottleneck through the provision of 4-tracking throughout the Scheme Route so allowing for the relocation of the 'express' services to the new dedicated fast lines. It also delivers on this capacity improvement aim by improving the capacity of local stations at Deighton, Muirfield and Ravensthorpe)
- Performance of the Trans-Pennine Route to be 92.5% of higher each period

(The Scheme delivers on this reliability aim by removing the existing bottleneck through the provision of 4-tracking and electrification throughout the Scheme Route, removing conflicting train movements at Ravensthorpe and providing upgraded modern equipment throughout the Scheme Route)

- Freight paths/rights to be retained as existing

(This Scheme delivers on this freight capacity aim by removing the existing bottleneck through the provision of 4-tracking throughout the Scheme Route so allowing for the relocation of the ‘express’ services to the new dedicated fast lines which allows for freight to run on the slow lines with the ‘stopper’ services)

- A contribution to Network Rail’s Decarbonisation Strategy and climate policy

(This Scheme contributes to Network Rail’s strategy and policy by delivering electrification throughout the Scheme Route)

5.1.9 Further the Scheme will have several beneficial socio-economic impacts. At the local level, beneficial impacts have been assessed for the construction phase through local employment and spend. These changes are anticipated to have a moderate beneficial effect, which is significant. Access to local businesses in the Scheme area is also of benefit to the local economy in terms of encouraging new development opportunities and jobs that could be generated directly and indirectly by the Scheme. This will be enhanced locally with TRU Programme employment approaches concerning employment targets for local recruitment, apprenticeships and local procurement opportunities.

5.1.10 Significant residual effects arising from the operation of the Scheme are identified as resulting from the improved journey times, reliability, and capacity at the Local Authority area and in turn the Sub-regional and Regional level. These improvements are judged to be likely bring direct significant benefits to local businesses and the labour market through improved access and in providing opportunities around Huddersfield Station (and to a lesser degree at the other modernised stations) through spend and business activity uplifts.

6. SITE AND SURROUNDING AREA

6.1.1 This section describes the existing site and the surrounding area of the Scheme.

6.1.2 This section of the proposed Trans-Pennine Upgrade covers the Manchester to Leeds railway from Gledholt Tunnel (west of Huddersfield station), passing along the Colne Valley through the north-east suburbs of the town including Deighton and Bradley, joining the Calder Valley at the area known as Cooper Bridge and Heaton Lodge (where the L&Y route from Rochdale joins at Heaton Lodge junction) before passing through Mirfield.

- 6.1.3 The line continues to follow the river through the parish of Lower Hopton and then Ravensthorpe. At Thornhill LNW Junction the former LNW route to Dewsbury & Leeds splits from the L&Y route on to Wakefield, Normanton and York.
- 6.1.4 The termination of the Scheme is in the area of Dewsbury known as Westtown, which is to the west of the town centre and approximately 700 metres west of the railway station. The whole site and area can be seen on the Site Edged Red Plan in the Environmental Statement Volume 4: Figures: Figure 1-1, which also identifies the limits of land affected by the development.
- 6.1.5 The site boundary encompasses the area of the proposed railway, associated track works required on existing lines and areas required for site access and construction compounds.
- 6.1.6 The Scheme has been split into six Route Sections for the purposes of design based on geography as set out in section 4.

7. PLANNING CONTEXT

7.1 Background – extant planning consents and allocations

- 7.1.1 Given that the scheme runs for 12 miles through the built-up areas of Huddersfield and Mirfield there are few relevant developments and development proposals applicable to the Huddersfield to Westtown upgrade. The relevant development proposals are set out below with full details provided in the Schedule at Appendix 1. Some of the relevant sites have a long history of past and continuing development including the water treatment works at Cooper Bridge, the Dr Reddy's chemical plant at Mirfield and the sand & gravel extraction at Ravensthorpe.

7.2 Huddersfield

- 7.2.1 KC have determined a number of applications in the immediate vicinity of the railway, though there are few relevant or historical planning applications for or adjacent to either Huddersfield station or the Hillhouses/Bradley area. These are listed in Appendix 1.

7.3 Mirfield, Ravensthorpe & Westtown

- 7.3.1 The most relevant application is for the construction of approx. 99 dwellings on the site of the old Mirfield Engine Shed, on the Down side just to the west of Mirfield Viaduct (under which is access to the development from Calder Road). Granted on appeal in 2004, and with a revised consent in 2017, construction is over three-quarters complete. There are some applications for the Dr Reddy's Chemical Factory at Steanard Lane, and the reclamation of sand & gravel works on land east of Ravensthorpe station. Again, these are listed in Appendix 1.

7.4 Unimplemented planning permissions and Local Plan site allocations

- 7.4.1 The biggest unimplemented planning consent along the route is for an industrial development on land to the south of Bradley Junction, accessed via Station Road, granted outline consent in August 2017 (reference 2017/91111). The changes to bridge MVL3/105 (Bradley's No.2) will not prejudice the development of this site.
- 7.4.2 The largest allocation for housing affecting the Route is the land known as Dewsbury Riverside (allocation HS61), for 4,000 dwellings (just over half anticipated beyond the plan period) on land due south and south east of Ravensthorpe railway station. The development will interface with the Scheme in so far as the design of the new Calder Road bridge (MDL1/2) and re-located station take into account the future housing allocation. A masterplan for the site was approved in early 2019. Joint meetings with KC & developer continue to help shape the development proposals and the interface with the Upgrade where works delivered through this TWAO have a direct interaction with the wider Riverside Masterplan. As presented in the TWAO application, the plans do not preclude the Riverside development from being delivered.
- 7.4.3 Other unimplemented allocations which may be directly affected by the Order include an employment allocation EM9 (re-development of the Cooper Bridge sewage treatment works). Depending on the timing of this development there may be issues in relation to the co-ordination of traffic management and the possible temporary use of land associated with the construction of the Scheme.
- 7.4.4 The stretches of the Order route within the Green Belt are at Heaton Lodge and Steanard Lane, Mirfield. Extracts of the proposals map showing the extent of the Green Belt in these areas can be found in Appendix 3.

7.5 Planning Policy

- 7.5.1 This section sets out the planning policy framework against which the Scheme is to be considered. This includes planning policy and guidance at a national level as well as adopted and emerging policies at a local level. In addition this chapter also sets out the relevant transport policy.

7.6 National Planning Policy Framework, DCLG (2012)

- 7.6.1 The NPPF was published by the Department for Communities and Local Government (DCLG) on the 27th March 2012. The NPPF replaces (and cancels) all Planning Policy Statements (PPS) and Guidance Notes (PPG), with the exception of PPS10: Planning for Sustainable Waste Management and some circulars, to form a single consolidated policy document. It has been progressively updated with the last iteration being in February 2019.

7.6.2 Paragraph 11 of the NPPF states that, at the heart of the Framework, is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where there are no development plan policies, or relevant policies are out of date, granting permission unless:
- The application of policies in this Framework 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.

7.6.3 Paragraph 8 sets out the three key objectives of the planning system - economic, social and environmental objectives all interdependent but necessary to achieve the sustainable agenda and underpin both plan-making and decision-taking. They are specifically:

- Economic objective – to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure;
- Social Objective: to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- Environmental Objective: to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.6.4 The following sections within the NPPF are particularly relevant to the Scheme:

- **Chapter 6 (Building a strong, competitive economy)** outlines the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. It states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
- **Chapter 9 (Promoting sustainable transport)** states that transport policies have an important role to play in facilitating sustainable development and that the transport system needs to be balanced in favour of sustainable transport, giving people a real

choice about how they travel (paragraph 103). It further states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

- **Chapter 12 (achieving well-designed places)** states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 127 states that planning policies and decisions should aim to ensure that developments:
 - will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- **Chapter 8 (Promoting healthy communities)** stresses the importance of access to high quality open spaces to the health and well-being of communities. The planning system is a means of providing safe and accessible developments, containing clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas. Access to high quality open spaces and opportunities for recreation can make an important contribution to the health and well-being of communities. Of particular relevance is paragraph 98 concerning the protection of existing public rights of way and access.
- **Chapter 13** outlines the role of the Green Belt and how it should continue to be protected from inappropriate development. It goes on to confirm that local transport infrastructure which can demonstrate a requirement for a Green Belt location is considered appropriate development in the Green Belt.
- **Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)** outlines that planning has a key role to play in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of

renewable and low carbon energy and associated infrastructure (paragraph 148). Paragraph 149 states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, amongst other considerations. Paragraph 157 states that local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test and, if required, the Exception Test (as defined in Chapter 14) it can be demonstrated that:

- the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - development the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- **Chapter 15 (Conserving and enhancing the natural environment)** sets out key principles for ensuring that the planning system contributes to and enhances the natural and local environment by, inter alia, recognising the wider benefits of ecosystems, minimising impacts on biodiversity and providing net gains in biodiversity where possible (paragraph 175).
 - This chapter further sets out at paragraph 181 that “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement”.
 - Paragraph 170 sets out that planning and policy decisions should contribute to and enhance the natural and local environment by “recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”.
- **Chapter 16 (protecting the Historic Environment)** stresses the need to assess the significance of any heritage asset which is affected by a development proposal (paragraph 189); this would be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal (paragraph 190).
 - In considering potential impacts, greater weight will be given to the conservation of the asset, irrespective of whether the harm to the asset is considered to be total loss, substantial harm or less than substantial harm. Paragraph 195 in particular confirms that substantial harm or total loss can only be accepted if it can be demonstrated that significant public benefit will occur through such loss or harm. Further consideration should also be taken into account if: (a) the nature of the heritage asset prevents all reasonable uses of the site; (b) no viable use of the heritage asset itself can be found in the medium term through appropriate

marketing that will enable its conservation; (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

- **Chapter 17 (Facilitating the sustainable use of minerals)** stresses the importance of making the best use of finite resources to secure their long-term conservation (paragraph 203). Paragraph 204 elaborates on the implications of this policy. In particular, local authorities should take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst seeking to source minerals supplies indigenously.

8. NATIONAL PLANNING PRACTICE GUIDANCE

8.1.1 In March 2014 the DCLG launched a web-based resource containing National Planning Practice Guidance (NPPG), which has been updated a number of times since. The following sections are relevant to the proposal.

8.1.2 **Design (2019):** this section of the Guidance states that good quality design is an integral part of sustainable development. It reinforces the recognition set out in the NPPF that design quality matters and that Planning should promote standards across all forms of development. It continues to say that well-designed places are successful and valued. The National Design Guide (complimentary to the Guidance) sets out ten key characteristics to underpin good design:

- Context
- Identity
- Built Form
- Movement
- Nature
- Public Spaces
- Uses
- Homes & Buildings
- Resources
- Lifespan

8.1.3 **Conserving and enhancing the historic environment:** best practice is highlighted for protecting and conserving historic assets. Paragraph 002 indicates that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Paragraph 007 goes on to reinforce why significance is important in decision making. Paragraph 013 provides guidance on what is the setting of a heritage asset, re-

enforcing the definition set out in the NPPF and stating that setting is the surroundings in which an asset is experienced, and therefore may be more extensive than its curtilage.

- 8.1.4 **Air Quality:** This chapter sets out why the planning should be concerned about air quality and provides instances in which air quality could be relevant to a planning decision.
- 8.1.5 **Climate change:** This section of the NPPG provides advice for effective mitigation and adaptation measures in plan making in addition to how the application process can address the potential impacts of climate change.
- 8.1.6 **Natural Environment:** This section explains key issues in implementing policy to protect landscape, biodiversity, ecosystems and green infrastructure. It explores how the character of landscapes be assessed to inform plan-making and planning decisions.
- 8.1.7 **Noise:** This section advises on how planning can manage potential noise impacts in new development. It states that noise needs to be considered when new developments may create additional impacts (paragraph 001). Paragraph 002 goes on to state that noise should not be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.

8.2 National Policy Statement for National Networks

- 8.2.1 The National Policy Statement for National Networks ('NPS') which was designated on 14 January 2015, sets out the need for, and Government's policies to deliver, development of nationally significant infrastructure projects (NSIPs) on the national road and rail networks in England. Whilst the Scheme falls under the threshold set out in the Planning Act 2008, as amended by the Highway and Railway (Nationally) Significant Infrastructure Project) Order 2013, that is the construction or alteration of a railway in England will only be a NSIP if it is to include a continuous stretch of track of more than 2km not on operational land, section 1.4 of the NPS states that:
- *"In England, this NPS may also be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 or any successor legislation. Whether, and to what extent, this NPS is a material consideration, will be judged on a case by case basis."*
- 8.2.2 It is therefore the case that whilst the NPS is primarily to guide and inform NSIP applications, it does have some degree of material weight in relation to the proposed Scheme as the rationale supporting the proposed works is for improvements to be delivered to parts of the national rail network, and should therefore be appraised accordingly. It is also important to understand the context of the Government's policy stance on rail infrastructure given the limited detail within the NPPF.

- 8.2.3 Section 2 of the NPS sets out the need for development of the national networks and the Government’s vision and strategic objectives:
- *“The Government will deliver national networks that meet the country’s long-term needs; supporting a prosperous and competitive economy and improving overall quality of life, as part of a wider transport system. This means:*
 - Networks with the capacity and connectivity and resilience to support national and local economic activity and facilitate growth and create jobs.
 - Networks which support and improve journey quality, reliability, and safety.
 - Networks which support the delivery of environmental goals and the move to a low carbon economy.
 - Networks which join up our communities and link effectively to each other.”
- 8.2.4 Paragraph 2.2 states that ‘there is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. Improvements may also be required to address the impact of the national networks on quality of life and environmental factors.
- 8.2.5 Paragraph 2.4 goes on to mention the pressures the national networks are under, including a projected increase of 40% of journeys undertaken by rail and rail freight having the capacity to double by 2030.
- 8.2.6 Paragraph 2.6 states that improved transport links help to rebalance the economy.
- 8.2.7 At paragraph 2.10 the NPS sets out an overarching statement that the Government concludes at a strategic level that there is a compelling need for the development of national networks.
- 8.2.8 The need for development of the national rail network is set out from paragraphs 2.28 – 2.41. These identify the importance of the rail network as a vital part of the national transport infrastructure and for the growing demand for rail travel and future projected growth which together support the compelling need for developing the country’s rail network.
- 8.2.9 Paragraph 2.29 sets out the Government’s vision for the Transport system in which railways must:
- Offer a safe and reliable route to work;
 - Facilitate increases in both business and leisure travel;
 - Support regional and local public transport to connect communities with public services, with workplaces and with each other; and

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- Provide for the transport of freight across the country, and to and from ports, in order to help meet environmental goals and improve quality of life.

8.2.10 Paragraph 2.37 highlights the need to improve the network:

- *“In the short to medium term the Government’s policy is to improve the capacity, capability, reliability and resilience of the rail network at key locations for both passenger and freight movements to reflect growth in demand, reduce overcrowding, improve journey times maintain or improve operational performance and facilitate modal shift from road to rail. The rail network is predominantly a mixed traffic network and the provision of capacity for both freight and passenger services is core to the network.”*

8.2.11 It further states that:

- *“Relatively modest infrastructure interventions can often deliver significant capacity benefits by removing pinch points and blockages.”*

8.2.12 Paragraph 2.38 is also pertinent:

- *“The Government will therefore consider new or re-opened alignments to improve capacity, speed, connectivity and reliability. Rail is a safer, greener and faster mode of transport for large passenger volumes and for long distances, including inter-city journeys.”*

8.2.13 The environmental benefits of rail improvements are discussed at paragraph 2.40, stating:

- *“Modal shift from road and aviation to rail can help reduce transport’s carbon emissions, as well as providing wider transport and economic benefits. For these reasons, the Government seeks to accommodate an increase in rail travel and rail freight where it is practical and affordable by providing for extra capacity.”*

8.3 Local Planning Policy

8.3.1 The development proposals lie wholly within the administrative area of KC. Local planning policy documents of relevance to the Scheme are set out in the section below.

8.4 KC Approved Local Plan (2019)

8.4.1 The KC Local Plan was approved in February 2019. It covers the period 2013 to 2031. It sets out guidelines for spatial development in Kirklees, along with allocating sites to meet the Authority’s needs for the plan period. Given the scale of the works promoted by the order there will be a considerable number of Local Plan policies relevant to the development as proposed. The full text of each relevant policy is included in Appendix 2.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 8.4.2 Underpinning the whole of the Local Plan is the presumption in favour of sustainable development as emphasised in Policy LP1. However, the Plan identifies a series of issues for the District which need to be addressed. One particular issue (Issue no.10, page 12) relates to transport:
- Issue 10 How can the transport network be improved so that there is less congestion and better connections between the towns and villages of Kirklees and neighbouring cities and towns?
- 8.4.3 The explanatory memorandum specifically identifies the Trans Pennine upgrade and recognises the improvements it will deliver in contributing to meeting this issue.
- 8.4.4 The Issue is replicated in strategic objective no.3 of the Plan (page 17):
- To improve transport links within and between Kirklees towns and with neighbouring towns and cities, giving priority to public transport, and to cycling and walking, providing an efficient highway network which supports the district's economy.
- 8.4.5 This Scheme also addresses strategic objective No.7:
- Promote development that helps to reduce and mitigate climate change, and development which is adapted so that the potential impact from climate change is reduced and to help the transition towards a low carbon economy.
- 8.4.6 Other strategic policies relevant to the Upgrade are discussed in turn below.
- Policy L2 sets out four sub-areas (Huddersfield, Dewsbury & Mirfield, Batley & Spen and Rural Kirklees) and the key characteristics and issues of each in establishing a sense of place making, and how developments should protect and enhance the qualities of each area. Strengths and shortcomings of the existing rail network are identified.
 - Policy L4 seeks co-operation with partner stakeholders and developers in bringing forward infrastructure required to meet the Plan objectives.
 - Policy LP9 – This policy seeks to support a skilled and flexible community and workforce, with proposals for new development expected to contribute to the creation of local job opportunities, education and training.
 - Policy LP19 supports the development of strategic transport infrastructure and specifically encourages those proposals which will bring forward such infrastructure, so long as where planning consent is required, they have regard to the constraints and considerations of environmental impacts and heritage assets. In the reasoned justification specific mention is made of Network Rail's commitment to the electrification of the Trans-Pennine route.
 - Policy LP21 (Highways and access) is relevant in so far as a number of bridges have to be re-constructed at a higher level to accommodate the OHLE, sometimes by a significant degree, and this in turn has implications for the road profile on the approaches and over the said bridges.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- Policy LP24 promotes good design and establishes principles by which applications will be judged, including sustainable measures in (for example) the use of recycled and recycled materials.
- Policy LP 27 (Flood Risk) is also relevant given the location of the route in an area partly at risk from flooding. The provision of an FRA amongst the suite of TWAO application documents addresses the policy in full and confirms there will be no detrimental effect in terms of flood risk. Similarly, Policy LP 28 concentrates on promoting sustainable drainage systems and seeking to limit the impact of development on surface water run-off rates in particular.
- Policy LP 30 (Biodiversity and geodiversity) outlines the measures expected for development to contribute towards enhanced biodiversity in accordance with set targets. It should be noted that no statutory designated sites are in the Order area.
- Policy LP 31 (Strategic Green Infrastructure) is relevant in so far as it expects new developments to contribute positively to green infrastructure provision, as well as enhancing the existing cycle network for recreation purposes, including the Green Wheel cycleway (see appendix 2 for full text).
- Policy LP 32 (Landscape) focuses on development in an adjacent to the National Park, the setting of settlements and woodland/hedgerows in the countryside. It demands that development should be sensitive to the landscape setting and contribute positively to its protection and enhancement. Similarly, Policy LP 33 seeks to protect existing trees and woodland as far as possible and seek mitigation where necessary too compensate for loss.
- Policy LP 35 addresses the historic capital of the District and sets out the tests to be met to permit substantial harm or loss of heritage assets and where substantial public benefit will outweigh the harm or loss.
- Policy LP37 (Restoration of mineral workings) is relevant in so far as part of the route crosses an area of sand and gravel extraction which is currently under restoration (refer to appendix 1 for details of the relevant applications).
- Policy LP38 (minerals safeguarding) applies in so far as part of the route crosses a known minerals safeguarding area (the Heaton Lodge curve) for sand and gravel.
- Policy LP39 (protection of existing minerals infrastructure sites) is relevant as the route does affect one identified site (Newlay Concrete, Calder Road Ravensthorpe). Similarly Policy LP 40 (alternative developments on minerals infrastructure sites) also applies.
- Given the sand and gravel quarries at Ravensthorpe also have extant consent for waste disposal, Policy LP 45 (safeguarding waste management facilities) will also apply.
- Policy LP 51 discusses the requirement for improvements in air quality. The Environmental Statement illustrates how the proposal will improve air quality overall and how it will be controlled during the important construction phase of the development. Similarly issues relating to noise, dust and vibration and other forms of

pollution raised in Policy LP 52 (protection and improvement of environmental quality) are again the focus of specific chapters in the ES and in the proposed Code of Construction Plan.

- Policy LP 53 concerns contaminated land and the requirement for sites to be carefully assessed and any remediation put in place as required.
- Chapter 19 concerns the Green Belt; although there are several policies pertaining to various types of development in the Green Belt, transport infrastructure is not included in any specific policy. Reliance would therefore have to be placed on the overall Green Belt policies within the NPPF as discussed in Chapter 6.
- Policy LP 61 (Urban Green Space) is relevant because, although the proposal does not impact on any identified urban green space save for a small area in the vicinity of Deighton station. The policy also applies to “smaller valuable green spaces not identified in the Policies Map”.

8.5 Allocations & Designations Document (2019)

- 8.5.1 This document outlines the sites which have been allocated for development and those areas to which special policies controlling development apply, e.g. Green Belt, urban open space. The specific allocations of relevance to the Order have been discussed previously in section 6 and in section 8.4.

8.6 Huddersfield Town Centre Blueprint SPD (2020)

- 8.6.1 The SPD forms the framework for the development of a Town Centre Area Action Plan which will be used in the determination of subsequent planning applications in the area. It contains more detail on how the objectives can be achieved through integrated working with private developers and landowners and, where necessary, the judicious use of compulsory purchase powers.
- 8.6.2 It is noted that the adoption of the SPD was revoked in October 2020 pending a legal challenge; however, the document continues to constitute the Council’s vision for the Town Centre and has been addressed accordingly.
- 8.6.3 The Town Centre is split into identified opportunity areas and areas of influence. One of the areas of opportunity is the Station Gateway. There are four objectives outlined in the SPD. These are:
- “*A welcome to Huddersfield*” whereby the experience of arrival at the station and the immediate St George’s Square will leave an indelible impression on visitors and help to attract investment into the town;
 - “*A vibrant modern station facility*” which is part of an innovative, quality multi modal facility easily accessible and be clearly integrated into the fabric of the town centre;

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- “A *strong commercial offer*” relating to the many fine but underused or vacant buildings around St George’s Square having significant commercial potential, as well as the potential of St. George’s Warehouse west of the station; and
- “A *multi-modal hub*” which would have clear links to the bus station and enhanced car parking for rail commuters.

8.6.4 It envisages an enhanced station, including a new western station entrance and square, a new platform, better circulation, connections between the town and the St. George’s Warehouse and, in the longer term, a connection between the warehouse and St. George’s Square. In stating a principal objective of creating “a vibrant modern station facility” the SPD states that the planned Trans-Pennine upgrade provides a real opportunity to achieve the aim.

8.7 Relevant Transport Policy

8.7.1 Britain’s railway plays an essential role in supporting and creating economic growth by enabling safe, fast, efficient movement of passengers and goods into and between major economic centres and international gateways.

8.7.2 Consistent with Government transport strategy, the railway industry’s ambition is to increase rail’s already significant contribution to the country’s economic, social and environmental welfare linking people and communities in an environmentally sustainable way.

8.7.3 Government White paper – creating growth, cutting carbon - Making Sustainable Transport happen, 2011

- In 2011 the Government recognised that there is a need for radical change in transport policy. In its White Paper, a wide range of measures to deal with congestion and pollution were set out highlighting the need for action at both a nationwide level as well as within the local context. On sustainability, the paper identifies the wider impacts of road traffic pollution stating:
- “Climate change is one of the greatest environmental threats facing the world today”.
- This was placed alongside a binding target of reducing greenhouse gas emissions by 100% of its 1990 output (achieving net zero emissions by 2050).
- It was identified that transport has a large cost upon society, in particular with issues surrounding delay, pollution, health problems, and accidents, which are all caused by localised congestion. As a result, it is stated that access to sustainable travel modes and improving accessibility can:
- “Make a significant contribution to public health and quality of life”.

8.7.4 Reforming our Railways Command Paper, March 2012

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

8.7.5 The Government's 'Reforming our Railways' Command Paper released in March 2012 sets out how passenger and freight railways are part of the overall vision for a transport system that supports economic growth, is more environmentally sustainable and improves quality of life within our communities. This will be achieved by relieving congestion on the road network, providing a greener transport option than road or aviation and facilitating business, commuting and leisure journeys.

8.7.6 The Command Paper states that reform must deliver against four objectives:

- Securing value for the passenger, addressing concerns about rail fares and the impact they have on hard-pressed families – by ending inflation-busting increases in average regulated fares at the earliest opportunity and introducing new ticketing technology.
- Dealing with the fiscal deficit, putting public finances on a healthier and more sustainable footing for the long term – by aggressively searching out savings and sharing these savings with the taxpayer;
- Supporting economic growth – through continued taxpayer investment for passengers and freight, to enhance capacity, connectivity and service quality where this is affordable and provides value for money, and by providing industry with the opportunity to invest in improving our railways; and
- Delivering our environmental goals – by reducing carbon emissions from trains and stations and by encouraging passengers to use the train rather than their car.

8.7.7 High Level Output Specification (HLOS), 2012

- The HLOS sets out information for the Office of Rail and Road (ORR) and for the rail industry about what the Secretary of State for Transport wants to be achieved by railway activities during railway Control Period 5, April 2014 to March 2019 (CP5). The Secretary of State for Transport also announced funding for the completion of the entire Northern Hub Programme of works and Trans-Pennine improvements, including the commitment to electrification in addition to capacity interventions along the whole route (including the Ordsall Chord in Manchester).
- However, in 2015 the then Secretary of State for Transport paused the work on the Trans-Pennine electrification to review scope and available funds. Subsequently the programme was re-started in 2017.

8.7.8 National Infrastructure Delivery Plan 2016 - 2021

- The National Infrastructure Delivery Plan (NIDP)¹ sets out how the Government intends to support the delivery of key infrastructure projects and programmes. It brings together Government's plans for economic infrastructure over a five-year

¹ HM Treasury (2016) National Infrastructure Delivery Plan

period from 2016 to 2021. It also sets out how infrastructure will support large-scale housing and regeneration projects, as well as key social infrastructure.

- Although not planning policy, the NIDP provides useful context to the national strategy for delivering infrastructure, in which the Scheme is an important part. It provides the overarching context from within which planning policy is set and decisions made.
- Regarding rail, the NIDP sets out the Government's vision to 'provide world class train services that drive economic growth and exceed passenger expectations' (paragraph 4.6). To support this, a Government commitment to carry out a large rail modernisation programme is provided.
- Within the strategy to achieve this, the NIDP sets out the Government rail infrastructure priorities to 2020/21. This includes the Network Rail enhancement programme, which is designed to provide necessary extra capacity, more services and better journeys. The Scheme is highlighted as being one of the key parts of this programme (page 36).

8.7.9 DfT Rail Network Enhancements Pipeline (October 2019)

- The DfT published its five-year Rail Network Enhancements Pipeline in 2019 listing projects to increase the capabilities of the rail network in England & Wales where development is being funded as part of the enhancements budget in CP6.
- The schemes are listed by the latest decision gateway which they have passed: Decision to Initiate, Decision to Develop and Decision to Design. The Trans-Pennine Upgrade is at the "Decision to Design" stage.

8.8 Regional Transport Strategy

8.8.1 It is important to look at the Regional transport initiatives as expressed in the Strategic Transport Plan for the North, Northern Powerhouse Rail, the WYCA Transport Plan and the Leeds City Region Strategic Economic Plan.

8.8.2 Transport for the North

- Transport for the North (TfN) has been established by the Government as the new regional transport body for the North – comprising all the northern city regions, Local Enterprise Partnerships, Highways England, Network Rail and HS2 Ltd. Transport for the North has created a Northern transport strategy, setting out priorities for significant investment in the north's inter-city road and rail network.
- TfN's Long Term Rail Strategy identifies the Great North Rail Project, which is the collective name given to a series of rail infrastructure and service improvements encompassed in the Strategic Transport Plan for the North (2019). These include the already implemented Northern Hub and North-West electrification, and the third element is the Trans-Pennine upgrade. The Strategy identifies and recognises the opportunities to be delivered from the upgrade.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

8.8.3 Northern Powerhouse Rail

- Northern Powerhouse Rail is a programme to deliver an improved rail network in the North of England and bring new opportunities to millions of people and businesses. It includes a mix of new and significantly upgraded railway lines, to increase the capacity, speed and resilience of the North's rail network.
- The proposals include building on the advantages accruing from the Trans-Pennine upgrade and the proposed eastern leg of HS2 to further connectivity across the Pennines. However the proposed high-speed route between Manchester and Leeds via Bradford is a further enhancement and an entirely separate entity from the upgrade.

8.8.4 West Yorkshire Transport Strategy 2040

- The Transport Strategy 6, adopted in 2017, replaced the West Yorkshire Local Transport Plan 3 (LTP3), previously published in 2011. The strategy seeks to enhance business success and quality of life by providing modern, high-quality and well-connected transport which ensures travel around West Yorkshire is dependable. Transport Objectives include:
 - Creating a more reliable, less congested and better-connected transport network.
 - Engaging with climate change and promoting a positive impact on our built and natural environment.
 - Encouraging walking and cycling to create a distinct sense of place.
- The West Yorkshire Transport Strategy set a target for 75% more trips to be made by rail by 2027, to be achieved through working with operators, enhanced station provision and station accessibility and new stations within West Yorkshire. Proposals for improvements to the Trans-Pennine route directly addresses some of the challenges identified in the strategy by seeking to enhance access to the rail network in this area. The capacity and line speed improvements will help to reduce highway congestion by encouraging a modal shift away from the reliance on the private car. As such the Strategy fully supports the upgrade.

8.8.5 Leeds City Region Strategic Economic Plan

- The City Region's Strategic Economic Plan (the SEP) seeks 'good growth' where business competitiveness, productivity and profits complement access to good jobs, earnings and opportunities for all residents and where the environment and people's health are highly valued.
- The SEP will achieve good growth by investing in four strategic policy areas:
 - Priority 1 Growing Business
 - Priority 2 Skilled People, Better jobs
 - Priority 3 Clean Energy and Environmental Resilience
 - Priority 4 Infrastructure for Growth

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- Improvements in transport cut across all four SEP priorities, but are emphasised in Priority 4 – where the SEP sets out its requirements for investment in transport infrastructure and services to support the growth and regeneration of prioritised locations within the city region.
- There is a recognition of the need to improve and invest in transport connections across the region. The SEP helped to secure £800 million funding for transport from the Government as part of the Growth Deal for Leeds City Region. This will deliver over 30 key transport schemes in West Yorkshire over the next 10 years, including funding towards four new rail stations, two of which lie on the Trans-Pennine route (though not in the section of route the subject of the Order) .
- The primary objective of the transport investment is to increase employment and productivity by the completion of transport schemes across West Yorkshire and York, irrespective of boundaries. The key transport schemes will provide transformational strategic transport infrastructure and will significantly increase the number of jobs that would be accessible to residents in Kirklees; an increase of 29% is estimated once the schemes are all implemented.

9. PLANNING CONSIDERATIONS

9.1.1 In this section, the planning considerations for the Scheme are examined against the relevant planning and transport policies set out in sections 7 and 8.

9.2 Principle of the Scheme

9.2.1 The need for and benefits of the Scheme are set out in sections 2 and 4 of this Planning Statement and also in the Statement of Aims NR04.

9.2.2 The NPPF contains several statements which support the development of transport infrastructure and are relevant to the Scheme.

9.2.3 The NPPF sets out that “*transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives*” and that the “*transport system needs to be balanced in favour of sustainable transport modes*” (paragraph 29).

9.2.4 The NPPF encourages ‘*solutions which support reductions in greenhouse gas emissions and reduce congestion*’ and supports a ‘*pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport*’ (paragraph 30).

9.2.5 Further the NPS sets out the importance of delivering transport networks which support the economy and improve overall quality of life.

9.2.6 The National Infrastructure Delivery Plan sets out vision to ‘provide world class train services that drive economic growth and exceed passenger expectations’.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 9.2.7 Within the strategy to achieve this, the NIDP sets out the Government rail infrastructure priorities to 2020/21. This includes the Network Rail enhancement programme, which is designed to provide necessary extra capacity, more services and better journeys. The Scheme is highlighted as being one of the key parts of this programme.
- 9.2.8 The Scheme is a key component of a series of improvements to the Trans-Pennine Route. The development in its own right provides additional capacity on the Route, thereby strengthening and reinforcing the opportunity for rail to be a viable alternative to road-based traffic, with its commensurate benefits on climate change and sustainability. It also improves connectivity along the Route, which in turn acts as an enabler for economic improvements. This is clearly in accord with the Government's desire for the planning system to facilitate the building of a strong and competitive economy as set out in Chapter 1 of the NPPF.
- 9.2.9 Railways are generally recognised as being a more sustainable transport system than the private car. To achieve a modal shift from the private car to trains, the railway system needs to be made more attractive to users in terms of its reliability and capacity. The Scheme therefore supports and fulfils the core land use planning principles of the NPPF by contributing to low-carbon economic growth and promoting sustainable travel in the region. This is entirely consistent with chapter 9 of the NPPF (promoting sustainable transport) and the environmental benefits of the Scheme in relation to carbon footprint &c. are detailed fully in the ES.
- 9.2.10 The Scheme also clearly aligns with the objectives set out in relation to Transport for the North and Northern Power House Rail by providing significant investment and improvement to the North's railway infrastructure and increasing the capacity, speed and reliance of the Network.
- 9.2.11 The West Yorkshire Transport Strategy sets out the objective of creating a reliable, less congested and better-connected network and engaging with the issue of climate change by encouraging increased use of the rail network. Proposals for improvements to the Trans-Pennine route directly addresses some of the challenges identified in the strategy by seeking to enhance access to the rail network in this area. The capacity and line speed improvements will help to reduce highway congestion by encouraging a modal shift away from the reliance on the private car. As such the Strategy fully supports the upgrade and the Scheme.
- 9.2.12 The whole thrust of the transport policies outlined in section 7 is to seek improvements to the region's transport systems and the rail network, recognising the benefits of rail in the movement of large numbers of people and container/bulk goods over large distances or into congested city centres. The Scheme is consistent with national, regional and local transport policy in that it provides an improvement in capacity to the major east-west link

as well as helping to reduce at grade conflicts between traffic on the Trans-Pennine and that using the L&Y route. This improves the reliability of the network and the additional paths created through enhanced capacity contribute to a better service provision, including local services as well as express trains connecting the key cities and towns along the Trans-Pennine corridor. This in turn contributes to encouraging a more sustainable mode of transport as well as fostering economic growth.

- 9.2.13 It is pertinent to note that all of the regional transport initiatives (TfN, Northern Powerhouse Rail and the West Yorkshire Transport Plan (LTP3) make reference to, and will build upon, the Scheme and the benefits it is expected to realise.
- 9.2.14 The Scheme is an essential part of achieving the transport and infrastructure aims set out in the High Level Output Statement and the Rail Network Enhancements Pipeline in which the TRU Project is included at the 'Decision to Design Stage'.
- 9.2.15 At a local level, the identification of the Scheme in KC Local Plan Policy demonstrates the strategic need for the Scheme. By improving reliability, increasing capacity and reducing conflicting movements on the Trans-Pennine route the development will comply with KC's development plan policies by contributing to low-carbon economic growth and promoting sustainable travel in the region. Railways are by definition more sustainable than the private car. To achieve a modal shift from the private car to trains, the railway system needs to be made more attractive to users in terms of its reliability and capacity. The proposals therefore comply with the aims and policies of the Local Plan which promote sustainable transport. In the context of policy LP1 the Upgrade will clearly contribute towards the improvement of economic, social and environmental conditions in the area.
- 9.2.16 The Upgrade in so far as it helps address issues of connectivity and accessibility within Kirklees and the wider Leeds City region accords with policy LP2. It also addresses the strengths and challenges identified as part of the policy. Similarly, the on-going discussions between NR and KC prior to submission of the Order embody Policy LP4 in practice.

9.3 Design

- 9.3.1 The NPPF stresses the importance of good quality design and Policy LP24 of the KC Local Plan promotes good design and establishes principles by which applications will be judged, including sustainable measures in (for example) the use of recycled and recycled materials.
- 9.3.2 In terms of design the Scheme will provide opportunities to promote good and inclusive design through the re-development of several stations and the re-construction of a number of bridges to facilitate electrification. In particular the introduction of compliant

step-free access to Deighton, Mirfield and Ravensthorpe stations is wholly consistent with the advice in this section of the NPPF.

- 9.3.3 Further detail in relation to the Scheme design can be found in the Design and Access Statement NR15 and the Huddersfield Station Design and Access Statement NR15A.

9.4 Green Belt

- 9.4.1 On a local scale part of the development is in the Green Belt (specifically the new Heaton Lodge curve) and thus is subject to the usual policies that would apply in such circumstances (principally the control of development to that associated with agriculture and forestry, outdoor recreation and essential utilities). The Local Plan does not have any specific Green Belt policy in relation to transport infrastructure facilities.
- 9.4.2 Mention is made in the NPPF of “local transport infrastructure which can demonstrate a need for a green belt location”. The Trans-Pennine route is a major cross-country artery with both high speed and local rail traffic, and the series of interventions including the Heaton Lodge curve cannot collectively be regarded as local. It would therefore be necessary to demonstrate the very special circumstances that would allow for the construction of the Heaton Lodge curve.
- 9.4.3 As outlined in the Statement of Aims the benefits of the curve are to allow for a greater through line speed (100 mph as opposed to the current 75mph) and thus improve the journey time and increase the flexibility to timetable more train paths on the Scheme route and the wider Trans-Pennine route.
- 9.4.4 However, it is also the case that the railway will not reduce the openness of the Green Belt, railways being a common feature in Green Belt areas and the overhead line equipment will have no significant impact on the landscape save to emphasise the position of the railway itself. It is also noted that the Heaton Lodge curve will be largely within a deep cutting, again reducing its impact on the openness of the Green Belt in this particular area.
- 9.4.5 Given the importance of the Trans-Pennine line as one of the primary railway routes in the country and a key component of national transport infrastructure the proposed scheme is seen as an essential contributor to maintaining and improving the performance and capacity of the line. The project is therefore considered to be key railway infrastructure which supports Government policy on sustainable transport, supporting reductions in greenhouse gas emission, reducing congestion and delivering economic benefits. These constitute the very special circumstances to permit the development in the Green belt.

- 9.4.6 The following sections are broken down by environmental discipline to reflect the Environmental Statement. Each sections summarises the assessment undertaken, the key effects identified and review this against the relevant policy.

9.5 Agriculture

- 9.5.1 An assessment of the impacts of the Scheme on agricultural soils and the viability of affected agricultural holdings associated with the construction and operation of the Scheme is set out in out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 19 Agriculture.
- 9.5.2 Temporary construction effects will occur on the land required to construct the Scheme and will include any temporary severance of land during the construction period and the effects of disruption, primarily from construction noise and dust, on land uses. In most cases, the temporary and permanent land acquisition will occur simultaneously at the start of the construction period and it is the combined effect of both that will have an impact on the holdings and associated agricultural soils.
- 9.5.3 Where land is required permanently, the effect would begin during the construction period and remain following the construction period into operation of the Scheme.
- 9.5.4 Agricultural land acquired in the construction phase will total 21.77 hectares (ha) of which 5.17 hectares is classed as best and most versatile (BMV) quality in Agricultural Land Classification (ALC) Grades 2 and 3a.
- 9.5.5 Temporarily acquired land, totalling 11.56ha will be restored to a condition equivalent to its original, unless the landowner and Network Rail agree an alternative position. The permanent land take will total 10.21ha, of which 1.56ha is of BMV quality, and this is a significant adverse effect.
- 9.5.6 Three agricultural holdings will be affected during the construction phase. With appropriate mitigation of impacts during construction, there will be not be a significant effect on their viability. All three holdings will permanently lose small amounts of land to the engineering footprint of the Scheme, none of which is will be significant in terms of their future operation.
- 9.5.7 Whilst the Scheme would result in a loss of a small amount of BMV Agricultural land, the overall level of private land take is limited and this must be weighed against the benefits of the Scheme.

9.6 Air Quality

- 9.6.1 An assessment of the impacts of the Scheme on air quality is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 7: Air Quality.

- 9.6.2 The air quality assessment considers the effects of:
- Dust emissions during construction and operation;
 - Road traffic emissions during construction; and
 - Emissions from trains once the Scheme is operational, along with the road traffic making journeys to and from the railway stations
- 9.6.3 The assessment of effects on air quality has considered residential properties near the railway and hence the works and on public highways that will be used by construction vehicles.
- 9.6.4 Kirklees Council currently has 10 Air Quality Management Areas (AQMA) declared within its borough and currently undertakes air quality monitoring of nitrogen dioxide (NO₂) and Particulate Matter. Overall, the results of the monitoring undertaken by Kirklees Council show that there has been a reduction in measured Nitrogen Oxide concentrations between 2016 and 2019. Concentrations in some areas of the Scheme still exceed the annual mean Nitrogen Oxide objective particularly within the AQMA.
- 9.6.5 Effects of construction dust were assessed, and it was found that risk from dust generated during construction of the Scheme could result in significant short-term and long-term impacts at residential and non-residential receptors without the implementation of best practice methods.
- 9.6.6 Best practice measures to prevent nuisance dust effects from construction works, will be implemented during construction through a Nuisance Management Plan which forms part of the planning condition for a CoCP.
- 9.6.7 With the implementation of these dust mitigation measures and effective site management, the impact on air quality from construction dust will be reduced and there will be no significant effects during the construction period. Implementation of measures within the CoCP will also reduce adverse effects resulting from construction traffic emissions, so as not to be significant.
- 9.6.8 Implementation of measures from the Traffic management Plan (TMP), that is a further planning condition of the Scheme, such as wheel washing or sheeting of vehicles will also reduce adverse effects resulting from construction traffic emissions, so as not to be significant.
- 9.6.9 During operation, no significant adverse effects on local air quality are anticipated as a result of the Scheme.
- 9.6.10 In this context, it is demonstrated that the Scheme is fully compliant with the the NPPF section 15 and Policy LP51 (protection and improvement of local air quality) of the KC Local Plan.

9.6.11 Further, KC Local Plan Policy LP 51 discusses the requirement for improvements in air quality. The Environmental Statement illustrates how the proposal will improve air quality overall and how it will be controlled during the important construction phase of the development. Similarly issues relating to noise, dust and vibration and other forms of pollution raised in Policy LP 52 (protection and improvement of environmental quality) are again the focus of specific chapters in the Environmental Statement and in the proposed Code of Construction Plan.

9.7 Biodiversity

9.7.1 An assessment of the impacts of the Scheme on biodiversity is set out in the Environmental Statement in Volume 2i: Scheme-wide assessment: Chapter 9 Biodiversity.

9.7.2 The following Important Ecological Features were identified relevant to the Scheme:

- Five Local Nature Reserves;
- 18 Local Wildlife Sites, two of which are located within the Scheme boundary (Gledholt Woods and Sir John Ramsden Canal);
- Terrestrial habitats (for example, woodland, ancient woodland, traditional orchards, hedgerows, scattered trees, scrub and semi-improved neutral grassland);
- Aquatic habitats (for example, rivers, canals, becks, dikes and ponds); and
- Protected and priority flora and fauna (floating water-plantain, great crested newt, bats, badger, barn owl, little-ringed plover, breeding birds, reptiles, otter and water vole).

9.7.3 The mitigation to offset the significant effects on flora and fauna include habitat replacement as will be detailed in a Landscape and Ecological Management Plan, a replacement artificial badger sett to replace a main sett closure, bat roost replacement for bat roost closure at Colne Bridge Viaduct and Helm Cottages, bat disturbance avoidance at Forge Lane, habitat selection to avoid barn owl feeding along the new rail corridor at Heaton Lodge, potential European Protected Species Management licence for floating water plantain in the canal corridor and riparian (bankside) planting of the River Calder in the vicinity of the Baker Viaduct in Ravensthorpe.

9.7.4 The following residual effects are anticipated:

- Temporary adverse effect on the River Calder at Ravensthorpe, where the proposed viaduct crosses the River Calder. This will result in permanent alteration of adjacent riparian/terrestrial habitat within the footprint of the structure totalling 60m; 30m on each bank. The new structure will also result in the loss of scattered trees adjacent to the River Calder and loss of marginal macrophytes (aquatic plants) to the footprint at the point of construction. Approximately 90m of compensatory riparian planting will

be undertaken. The effects will short term (2-5 years) until compensatory riparian planting is established. After this point, no significant residual effects on rivers are predicted.

- Two ecologically important ponds will be lost during construction at the Thornhill Quarry site. New ponds will be created to fully compensate for the loss, but there will be a temporary residual adverse effect on ponds in the short term (3-5 years), until the replacement pond habitats are established to comparable condition. No permanent residual effects on ponds are anticipated.
- Residual effects to semi-natural broad-leaved woodland are assessed to be temporary, adverse and significant at the local level in the medium to long term (30-100 years) until replacement planting is established. After this point, no significant residual effects are predicted;
- Residual effects to semi-natural mixed woodland, plantation broad-leaved woodland and plantation mixed woodland are assessed to be temporary, adverse and significant at the local level in the medium term (less than 30 years) until replacement planting is established. After this point, no significant residual effects are predicted;
- Residual effects to scrub are assessed to be temporary, adverse and significant at the local level in the short term (5-10 years) until replacement planting or natural regeneration becomes established. After this point, no significant residual effects are predicted; and
- Residual effects to semi-improved neutral grassland are assessed to be temporary, adverse and significant at the local level in the short term (less than 5 years) until replacement planting or natural regeneration becomes established. After this point, no significant residual effects are predicted.

9.7.5 Residual effects to semi-natural mixed woodland, plantation broad-leaved woodland and plantation mixed woodland are assessed to be temporary, adverse and significant at the local level in the medium term (<30 years) until replacement planting is established. After this point, no significant residual effects are predicted.

9.7.6 Given the proposed mitigation measures and the need for the Scheme, it is considered that the Scheme would be in line with the NPS, NPPF and policy LP30 of the KC Local Plan.

9.8 Climate Effects

9.8.1 An assessment of the effects on climate resulting from the construction and operation of the Scheme is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 17 Climate Change – Effects on Climate.

9.8.2 Greenhouse gas emissions for the construction of the Scheme have been calculated, based on available design information, and have been considered in the context of the UK's national carbon budgets and overall Net Zero Carbon ambition.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 9.8.3 The construction of the Scheme, plus operation of the Scheme in the first year, will contribute approximately 265,000 tonnes of carbon dioxide equivalents to the UK's carbon budget (2023-2027) which is less than 1%.
- 9.8.4 In operation, there will be a reduction in annual emissions of approximately 1,500 tonnes of carbon dioxide equivalents due to electrification of the line and a shift to bi-modal trains. The Scheme supports UK Government policy to encourage electrification of railways as a means of reducing carbon emissions. Whilst it is not possible to quantify the future beneficial effects of this element of the Scheme, it is considered likely that the Scheme will provide an overall beneficial effect during its lifetime.
- 9.8.5 However, due to the small scale of emissions and emissions reductions (all rail travel is responsible for only 0.6% of total UK emissions), the Scheme is deemed to be unlikely to cause significant effects on climate either positively or negatively, or significantly affect the UK's ability to meet its emissions reduction targets.
- 9.8.6 Mitigation has been applied in line with the carbon reduction hierarchy. Many elements of the principles 'build less' and 'build clever' have been embedded into the design and are reflective of Network Rail engineering standards that address the carbon reduction elements, for example the re-use of excavated material across the Scheme.
- 9.8.7 As the detailed design develops, more focus will be given to building clever, and construction mitigation which will be incorporated into the delivery of the Scheme and reflective of Network Rail and project sustainability requirements to 'build clever'.
- 9.8.8 The Reforming our Railways Command Paper (see 8.7.4 above) is clear that reform must ensure that carbon emissions from trains and stations are reduced and that people should be encouraged to use the train rather than a car.
- 9.8.9 On this basis, it is considered that the Scheme is compliant with Chapter 14 of the NPPF and KC Local Plan strategic objective No.7 as it will help to reduce greenhouse gas emissions.

9.9 Climate Vulnerability

- 9.9.1 An assessment of the climate vulnerability effects associated with the construction and operation of the Scheme and the impact of future climatic conditions on the Scheme is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 16 Climate Change – Vulnerability to Climate.
- 9.9.2 The assessment of the vulnerability of the Scheme to climate change has shown that climate projections in general in the UK that cover the Scheme show that it is likely climate will change in the future and that the Scheme will be vulnerable to the consequences of this change during its operation. However, the detailed assessment

has found that none of these vulnerabilities are significant as embedded mitigation sufficiently adapts the design and operational processes in compliance with Network Rail engineering standards to remove and reduce to acceptable levels all otherwise significant climate vulnerability impacts.

- 9.9.3 It is therefore considered that the Scheme is compliant with KC Local Plan strategic objective No.7 and the NPPF chapter 14 in taking a proactive approach to mitigating and adapting to climate change and by avoiding increased vulnerability to the risks of climate change.

9.10 Geology, Soils and Land Contamination

- 9.10.1 The effects of the Scheme on geology, soils and land contamination has been assessed. This also includes an assessment of mineral resources and the effects associated with the re-use of soils and generation of waste soils. The relevant section of the Environmental Statement is Volume 2i: Scheme wide assessment: Chapter 12 geology, Soils and land contamination.
- 9.10.2 The Scheme passes through urban and rural areas, with the potential for a wide range of potential contamination sources, including past and present industrial activities, landfill sites, chemical works etc. Potential geohazards associated with existing ground conditions and historical mining activities have also been identified.
- 9.10.3 Construction activities, specifically excavation and penetrative works such as piling, can create new pathways for contaminants such as within surface water run-off, groundwater and gas migration. Works during construction can also lead to impacts associated with ground stability, erosion and mineral resources.
- 9.10.4 Potential impacts during operation relate to possible spills/leaks of chemicals, fuels etc. that may be used (for instance during maintenance activities).
- 9.10.5 Adverse effects identified during both construction and operation are typically assessed as not significant, however a limited number of potentially significant adverse effects are identified in relation to localised areas of the Scheme where geohazards of sufficient magnitude coincide with specific structures (e.g. coal mine entries/shallow workings at Hillhouse Sidings), or where ground contamination/gas might pose an unacceptable risk (e.g. new foundations/excavations mobilising contamination from landfill waste into a below aquifer at the new Ravensthorpe Station forecourt area) or piling foundation work in the permitted Demex landfill site at Thornhill Quarry.
- 9.10.6 To mitigate the effects, all site activities will be carried out in accordance with the CoCP during construction of the Scheme. Best practice measures will be implemented through

the CoCP and the Pollution Prevention and Incident Control Plan (PPICP) to avoid accidental spillages of polluting substances.

- 9.10.7 The CoCP requires a Waste Management Plan to be produced and this in combination with the Environmental Design Plan (land contamination and hydrogeology) that is also required through the CoCP ensures that management of any excavated contaminated material will not pose a significant risk to receptors. The Environmental Design Plan will address such matters as piling methodologies through landfill or into aquifers.
- 9.10.8 Public access to the parts of the Scheme area where exposure to potential ground contamination will be restricted and areas fenced off.
- 9.10.9 Following the application of mitigation measures, no residual significant adverse effects are anticipated.
- 9.10.10 Remediation and ground improvement works would be undertaken for areas within the Scheme where more severe geohazard and coal/mining-related risks have been identified. This would result in a potential significant beneficial effect.
- 9.10.11 On this basis, it is considered that the Scheme is compliant with KC Local Plan Policy LP 53 which concerns contaminated land and the requirement for sites to be carefully assessed and any remediation put in place as required and also with chapter 15 of the NPPF.

9.11 Historic Environment

- 9.11.1 An assessment of the effects of the Scheme on the historic environment is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 6 Historic Environment.
- 9.11.2 A number of heritage features are located along the Scheme, which include designated and non-designated assets.
- 9.11.3 Designated heritage assets include World Heritage Sites, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens and Conservation Areas. Non-designated heritage assets are those not afforded statutory protection, but which are recorded on the West Yorkshire Historic Environment Record (HER), or which have been identified during the baseline assessment (e.g. historic maps).
- 9.11.4 Key heritage assets identified include the Grade I Listed Huddersfield Station and 19 Grade II listed bridges.
- 9.11.5 Not every listed structure is affected by the Scheme; however the following designated assets will require Listed Building Consent applications because of the nature of the works on each. These will be submitted in parallel to the TWAO;

- Huddersfield Station;
- Huddersfield Viaduct (MVL3/92);
- Wheatley's Overbridge (MVL3/103);
- B6118 Colne Bridge Road Overbridge (MVL3/107);
- Mirfield Viaduct (MVN2/192);
- Wheatley's Underbridge (MVN2/196);
- Occupation Underbridge (MDL1/10);
- Toad Holes Underbridge (MDL1/12); and
- Ming Hill Underbridge (MDL1/14).

- 9.11.6 The assessment considers both heritage assets within the Scheme boundary and those beyond the Scheme boundary. Impacts associated with heritage assets within the scheme boundary generally relate to physical changes being made to heritage assets. Heritage assets beyond the scheme boundary are generally affected indirectly, such as impacts that arise from construction works within proximity to heritage assets which may affect the significance of their settings.
- 9.11.7 In addition, the potential for buried archaeological remains has been considered. Potential for buried archaeological remains are limited throughout the majority of the Scheme due to previous considerable ground disturbance associated with development. However potential exists around the Heaton Lodge area where ground disturbance has been limited and at Ravensthorpe where there is earlier evidence of activity and listed buildings associated with an area of medieval settlement.
- 9.11.8 The final recommended designs in considering the effects on listed and non-designated assets are a result of detailed and continuous consultation between the Scheme design team and heritage consultants with Historic England and Kirklees Council.
- 9.11.9 This iterative design process has led to specific design principles embedded into the design of structures across the Scheme and then detailed in the listed building applications that are submitted in parallel to the TWAO.
- 9.11.10 A series of mitigation measures are proposed to minimise temporary and permanent significant adverse effects on listed buildings and structures during construction and operation of the Scheme. They will be identified and covered more fully in the Conservation Implementation Management Plan to be provided as a condition of each listed building consent, but will include protective fencing, sensitive routeing of construction traffic, careful location of construction compounds and staff education on the importance of the structure in heritage terms.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

9.11.11 Compensation measures proposed will include historic building recording, archaeological investigation and recording and, where possible, re-use of historic fabric.

9.11.12 The following residual effects on heritage assets are predicted (those effects remaining, as a result of the Scheme, after mitigation measures have been taken into account).

9.11.13 Temporary residual significant adverse effects for the following listed structures are:

- Huddersfield Station: permanent loss of historic fabric and alteration of elements of the station which contribute to its overall significance will result in significant adverse effects. The construction works within and around the station will temporarily form a prominent element of the setting of the station and will temporarily alter the experience of the station with potential infiltration from noise, dust and vibration, resulting in a temporary significant adverse effect.
- Empire Cinema Sportsman and the Marhaba Takeaway: construction activity will infiltrate on their setting as both buildings are located with views towards or from them which contain Huddersfield Viaduct. The presence of construction compounds and works around Huddersfield Viaduct will be visible in these views and degrade this aspect of the assets' settings, resulting in temporary significant adverse effects;
- Number 2 Lock: increased noise levels in the setting of the lock from the presence of a construction compound, as well as works to B6118 Bridge Road Overbridge (MVL3/107) in proximity to the lock, will result in temporary significant adverse effect;
- Mirfield Viaduct (MVN2/192): Construction works, including scaffolding, hoardings and construction plant, will temporarily alter the appearance of the viaduct, resulting in temporary significant adverse effects;
- Wheatley's Underbridge (MVN2/196): Construction works, including scaffolding, hoardings and construction plant, will temporarily alter the appearance of the viaduct, resulting in temporary significant adverse effects;
- Ledgard Bridge (Over River Calder): Construction work associated with Mirfield Viaduct Underbridge (MVN2/192) will be present within the immediate vicinity of this listed bridge; hoardings and plant will be visible in views to, from and across Ledgard Bridge, while noise and dust will also be present within its setting, resulting in temporary significant adverse effects; and
- Calder & Hebble Canal Underbridge (MDL1/6) Underbridge; and River Calder Underbridge (MDL1/8): Construction works in this area would result in noticeable noise and visual intrusion on the setting of these bridges during the construction phase, intruding on views to and from the bridges on their southern side, and intruding on appreciation of their architectural form and value, resulting in temporary significant adverse effects.

9.11.14 There are permanent residual significant adverse effects for the following listed structures:

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- Huddersfield Station: permanent loss of historic fabric and alteration of elements of the station which contribute to its overall significance will result in significant adverse effects. The construction works within and around the station will temporarily form a prominent element of the setting of the station and will temporarily alter the experience of the station with potential infiltration from noise, dust and vibration, resulting in a temporary significant adverse effect;
- Huddersfield Viaduct (Spans 1 – 4 and Span 29): the permanent physical alterations to the viaduct will result in loss of historic fabric along its entire length, resulting in permanent significant adverse effects;
- Wheatley's Overbridge (MVL3/103): The construction of the Scheme will result in the majority loss of the Grade II Listed bridge due to its removal and replacement, resulting in permanent significant adverse effects;
- B6118 Bridge Road Overbridge (MVL3/107): partial demolition and rebuild of this Grade II listed bridge will be required to accommodate the Scheme, resulting in a permanent significant adverse effect;
- Heaton Lodge Footbridge (MVL4/4): the removal and replacement of the structure will result in permanent significant adverse effects; and
- Occupation Underbridge (MDL1/10): the bridge arch will be infilled preventing movement under the bridge and a new embankment will be constructed, obscuring the view of the bridge from the north. These changes will cease the asset's historic function as an accommodation bridge and alter the way in which the bridge is experienced, resulting in permanent significant adverse effects.

9.11.15 Both the NPPF and the KC Local Plan stress the desirability of preserving and enhancing heritage assets. Policy LP 35 addresses the historic capital of the District and sets out the tests to be met to permit substantial harm or loss of heritage assets and where substantial public benefit will outweigh the harm or loss.

9.11.16 The heritage implications of the Scheme are very significant. The re-construction of a significant part of Huddersfield station itself, given its listed status, represents a major design challenge and, in the words of paragraph 127 of the Framework, an opportunity to provide a development sympathetic to local character and history. Such an approach is not only applied to the largest station on the line but also for the bridge re-constructions, such as the treatment of the new structure at Wheatleys Overbridge (MVL3/103) paying due respect to its mining origins. Detailed statements of significance have been prepared for the overall route, Huddersfield Station and, within the relevant Heritage Assessments, for each individual structure. These help to assess the impact of the Scheme on the rich legacy of historic railway features along the route, as advocated by paragraph 189 of the NPPF.

9.11.17 The detailed advice in the National Planning Practice Guidance has been followed in terms of the evolution of the designs for the new stations, along with the heritage

implications of the Scheme with respect to electrification on listed structures and specifically the works in Huddersfield station itself.

- 9.11.18 Further, as is demonstrated by section 5, the Scheme will deliver ‘substantial public benefit’ and therefore complies with heritage policy.

9.12 Landscape and Visual Impact

- 9.12.1 The effect of the Scheme on the landscape character, townscape and visual amenity is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 10 Landscape, townscape and visual impact.
- 9.12.2 Landscape character is the distinct and recognisable pattern of elements that occurs consistently in a landscape such as urban areas or rural farmland and how this is perceived by people. It reflects combinations of landform, soils, vegetation, land use and settlement and creates the sense of place.
- 9.12.3 Visual receptors are single or groups of elements whose visual enjoyment would be affected by a proposal such as users of Public Rights of Way. The nature of visual receptors varies according to their location, type, activity of view and the importance of the view.
- 9.12.4 For this assessment, adverse effects are considered to be changes that are detrimental in terms of reducing the quality of the landscape/townscape resource or a receptor’s views. Beneficial effects are changes that enhance the quality of the landscape/townscape resource or a receptor’s views.
- 9.12.5 During the construction phase, the local landscape and townscape character would experience adverse effects as a result of the Scheme, which are considered significant for this assessment. This is due to the construction work taking place on and near the railway line and includes the provision of compounds to facilitate the work. Vegetation clearance along the railway and moving plant and machinery would introduce features into these character areas. However, these elements would be temporary and would not have detrimental effect on the overall permanent character of the local landscape and townscape.
- 9.12.6 Due to the introduction of partially constructed infrastructure as a result of the works, several viewpoints would be adversely affected by the Scheme during the construction phase. While close range views would experience the most noticeable and severe effects, mid-range and long-distance views would also be affected. Construction activity taking place on the railway or increased traffic to the Scheme would be noticeable from these locations. However, these effects would be localised and temporary and would not affect the overall visual amenity of the Scheme.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 9.12.7 During the operational phase, there would be limited effect on the local landscape and townscape character. This is due to the proposed infrastructure being in keeping with the existing built form and infrastructure, which ensures that the integrity of the existing character remains intact. The majority of the landscape and townscape character areas are considered to remain as existing, i.e. that is it is an operating railway corridor now and will remain that way when the Scheme is operational.
- 9.12.8 Mitigation measures in the form of replacement planting are proposed as submitted in outline in the Environmental Statement in Volume 4: Figures: Figure 2.3 that will then be secured in detail by way of a planning condition for a Landscape and Ecological Management Plan that must be approved by Kirklees Council.
- 9.12.9 During the operational phase at Year 1, the replacement planting would be noticeable, however, the mitigating effects would be limited since the vegetation would not be fully developed and matured at this stage. Close and mid-range views would experience adverse effects as a result of the Scheme. However, effects would be localised and would not impact the overall visual amenity of the Scheme. During the operational phase at Year 15, any mitigation planting would be mature and would provide screening effects to soften the effects on certain areas of the Scheme. Close-range views would experience the most considerable effects at this stage. The visual effects would remain localised and would have a limited effect on the visual amenity of the Scheme.
- 9.12.10 Overall, the Scheme would introduce new railway infrastructure e.g. overhead line equipment and signalling, as well as new and replacement structures along the existing railway line. Long distance and mid-range views would experience limited effects as a result of the Scheme. Close-range views are assessed as experiencing the most noticeable and significant effects. Since the Scheme is in keeping with the existing railway infrastructure and context, it is considered to have limited adverse effects on the surrounding landscape character and visual amenity that will reduce in time as replacement planting matures as required through the Landscape and Ecological Management Plan.
- 9.12.11 In considering the view of electrification equipment from adjacent properties, mitigation in design revolves around the selection of less visually obtrusive structures that can then be spaced out at larger intervals than older type electrification equipment. In detailed design this facilitates a flexibility to place gantries on property boundaries rather than outside gardens or facing bedroom windows where practicable to do so and within the constraints imposed by the requirements of an operating electrified railway.
- 9.12.12 It is assessed that there is a residual effect in considering the view of overhead line equipment required for electrification purposes from residential properties immediately adjacent to the Scheme.

- 9.12.13 The findings of the impact assessment demonstrate that there would be some impact on landscape and visual receptors. However, mitigation measures have been identified which would lessen the impact to meet the objectives of the NPPF and with Local Plan Policies LP 32 and 33 and on this basis, the Scheme is considered to be compliant with planning policy.

9.13 Noise and Vibration

- 9.13.1 An assessment of noise and vibration in relation to the Scheme is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 8 Noise and Vibration.
- 9.13.2 Noise and vibration may arise during construction from on-site construction activities and from construction traffic on haul routes (access points to compounds) and public highways.
- 9.13.3 During operation, noise and vibration may arise from faster train movements of larger trains that through the design are moved closer to sensitive residential receptors, from certain lineside equipment for example power supply units (PSU), redistribution of road traffic as a result of road alteration and use of public announcement and voice alarm systems at railway stations.
- 9.13.4 These aspects have been considered in the noise and vibration assessment, which looks at the impacts on noise sensitive 'receptors' in the vicinity of the Scheme, such as residential properties, schools and educational facilities, hospitals, community facilities and places of worship.
- 9.13.5 The assessment has identified potential significant adverse effects from noise associated with construction activities (during daytime hours) at 46 noise sensitive receptors along the Scheme.
- 9.13.6 Night-time construction activities at the Hillhouse Compound have the potential to cause significant adverse effects at nearby noise sensitive receptors owing to the level of noise, the timing of and the duration of works. These construction effects are most likely during long possessions of the railway such as are required at Huddersfield Station over a period of weeks.
- 9.13.7 Additional night-time working at other locations along the Scheme are not typically of a sufficient duration to lead to significant adverse effects, being short and limited to weekday night-time short possessions and at weekends.
- 9.13.8 Construction traffic on 19 roads is likely to result in temporary significant adverse effects affecting approximately 1,250 noise sensitive receptors.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 9.13.9 There are potential significant effects on the operation of Dr Reddy's Laboratories, in terms of the use of precision equipment during vibratory construction works (such as compaction and piling).
- 9.13.10 There is potential for cosmetic damage to 27 buildings located close to potential sources of construction vibration.
- 9.13.11 Assessment of operational noise has been undertaken that facilitates an assessment of the effects in respect of 5,165 noise sensitive receptors. In total, 70 individual noise sensitive receptors are affected by the Scheme. Potential significant adverse effects have been identified at 65 of these during the day, and 34 at night. Effects relate to the operation of the sidings at Hillhouse compound, the operation of the railway and impacts from the realignment of roads.
- 9.13.12 Mitigation measures set out in the CoCP and Nuisance Management Plan that is a planning condition for the Scheme will be implemented to minimise noise and vibration impacts during construction using the principles of Best Practicable means.
- 9.13.13 In the event that despite the application of all possible measures under the principles of Best Practicable means, there remain significant residual effects, a Noise Insulation and Rehousing policy will be implemented that is in compliance with guidance issued in British Standard 5228 that addresses the impact of construction noise and vibration.
- 9.13.14 With the application of these measures, there are no predicted significant residual adverse noise and vibration effects from construction activities within the Scheme. There are, however, temporary and short-term significant adverse effects in the wider study area due to construction traffic and temporary road diversions.
- 9.13.15 To minimise impacts from the operation of the Scheme, line-side noise attenuation measures will be implemented at nine locations along the Scheme. This addresses daytime significant effects, that is effects experienced in outside amenity.
- 9.13.16 In the event significant residual operational noise effects remain, Network Rail will make properties eligible for an offer of noise insulation.
- 9.13.17 During the operation of the Scheme, with mitigation in place, no significant adverse effects are predicted.
- 9.13.18 On this basis, it is considered that the Scheme is compliant with the NPPF by ensuring that any unavoidable noise impacts are mitigated and KC Local Plan Policy LP52 as appropriate mitigate measures have been included to reduce the impact.

9.14 Population and Human Health

9.14.1 An assessment to identify population and human health effects associated with the construction and operation of the Scheme is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 15 Population and Human Health.

9.14.2 The assessment covers the following wider determinants of health:

- Air pollution;
- Soil and water pollution;
- Risk of injuries and death;
- Housing;
- Education, healthcare services and community facilities;
- Transport options;
- Active travel;
- Work and training;
- Social cohesion and lifetime neighbourhoods; and
- Noise pollution and vibration.

9.14.3 During construction, the assessment found that significant effects are predicted for the following wider determinants of health.

Housing

9.14.4 Temporary land take and/or disruption effects would be experienced during construction at a number of residential properties along the Scheme resulting in significant temporary effects on the physical (houses) and human receptors (owners/occupants). The effects would be the same for all groups.

Education, healthcare services and other social infrastructure

9.14.5 Temporary disruptions to access and severance effects at a children's nursery on Thornhill Road, Dewsbury would result in significant temporary effects for workers, parents and children that attend the nursery. There would be no significant effects for people not working at or using the nursery.

Transport options

9.14.6 The temporary closure of the railway and stations would result in significant disruption effects, changes to travel patterns, longer journey distances and times, changes in journey quality and reliability, inconvenience and increased costs for the local population. These effects would be temporary, direct, short-term and reversible. The effects would

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

be the same for all population groups, including the wider group and any vulnerable groups. Following completion of the works, there would be no permanent significant effects for the physical or human receptors.

- 9.14.7 The temporary closure of a number of local roads in the Scheme area would result in disruptions, re-routing of vehicles, changes to travel patterns, longer journey distances and times, changes in journey quality and reliability, inconvenience and increased costs. The effect would be significant and temporary for the physical and human receptors.
- 9.14.8 For active travel, significant disruption effects, increases in journey distance and times and severance are predicted for the physical and human receptors from the permanent diversion/realignment of four Public Rights of Way (PRoW).
- 9.14.9 Temporary closure, disruption effects, and in some cases diversions, are also proposed during construction at a number of PRoW, footpaths, canal towpaths and greenways. Most of the effects would be short-term. The effects would be the same for all groups.

Work and training

- 9.14.10 Temporary significant disruptions effects would be experienced for local businesses to accommodate works at Huddersfield Station, Longroyd Lane, Red Doles Road and the A62 Leeds Road.
- 9.14.11 Local businesses off the A62 Leeds Road and off Colne Bridge Road would be impacted by works in the surrounding area during the temporary closure of these roads and a range of local businesses near the proposed works at Calder Road and Thornhill Road would also be impacted. These effects would be temporary for the physical and human receptors (owners/employees). No significant effects are predicted for customers or people that use these local businesses.

Operational Effects: Housing

- 9.14.12 The permanent loss of three residential properties and permanent loss of garden space at five residential properties would result in permanent significant adverse effects on the physical receptor (houses) and human receptors (owners/occupants).

Operational Effects: Work and training

- 9.14.13 Permanent significant adverse effects from the demolition of a commercial property on Thornhill Road would be experienced by the owners of the property.

Measures to minimise effects

- 9.14.14 Best practice environmental management measures will be implemented on site through application of Part A of the CoCP to minimise disruption and amenity effects.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 9.14.15 Part B of the CoCP will incorporate a series of environmental delivery plans, including a Nuisance Management Plan (NMP), a Pollution Prevention and Incident Control Plan (PPICP), a Noise and Vibration Management Plan (NVMP), a Materials Management Plan (MMP) and a Waste Management Plan (WMP), all of which include measures to minimise effects on the population in the area surrounding the Scheme.
- 9.14.16 Measures included in an External Communications Programme under Part B of the CoCP will minimise effects on community land and facilities and include engaging in meaningful discussions with local businesses and ensure continued engagement with Kirklees Council and local communities.
- 9.14.17 A Construction Traffic Management Plan will include measures to reduce impacts of temporary traffic management arrangements.
- 9.14.18 During construction, permanent significant adverse residual effects are still predicted from the loss of three residential properties and permanent land take at five other residential properties. Significant temporary residual effects are still predicted from temporary land take and disruption effects at a number of residential properties.
- 9.14.19 Temporary significant adverse residual effects are still predicted for one education facility, Childs Play Day Care Nursery, on Thornhill Road.
- 9.14.20 Temporary significant adverse residual effects are still predicted following the temporary closure of the railway and railway stations and the temporary closure of several local roads which cross or are located near to the railway line and construction impact on the highway network and receptors.
- 9.14.21 Temporary significant adverse residual effects are still predicted for a number of PRoW, footpaths/cycle provision and the Birkby Bradley Greenway and Calder Valley Greenway from temporary closures, diversions and/or disruption effects.
- 9.14.22 Permanent and temporary significant adverse residual effects are still predicted from the loss of a small number of local businesses, land take and disruption effects.
- 9.14.23 Temporary significant adverse residual effects are still predicted from road traffic noise at due to temporary diversions and construction traffic along affected routes.
- 9.14.24 Significant adverse residual effects in relation to noise and vibration are still predicted for the external amenity areas during daytime periods at 14 noise sensitive receptors.
- 9.14.25 The assessment shows that there would be some residual impact in relation to population and human health. However, mitigation measures have been identified and the implementation of such measures will help to lessen the impacts in line with Chapter 8 of the NPPF (Promoting healthy and safe communities) and KC Local Plan policies

LP51 and 52.. On this basis and taking into account the substantial public benefit of the Scheme, it is considered that the Scheme is compliant with planning policy.

9.15 Public Open Space

- 9.15.1 An assessment of impacts to public open space associated with the construction and operation of the Scheme is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 20 Public Open Space.
- 9.15.2 For the purposes of this assessment public open space is defined as “land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground”.
- 9.15.3 In total, 13 areas of public open space were identified within the Scheme boundary that may be impacted by the works (during construction and operation).
- 9.15.4 During construction, temporary significant adverse effects are anticipated on five areas of public open space in relation to recreational and visual amenity.
- 9.15.5 The Scheme would result in the permanent loss of around 23,000 square metres of public open space.
- 9.15.6 The permanent loss of public open space will be fully mitigated through the provision of 23,000 square metres of exchange land.
- 9.15.7 Network Rail will enter into consultation with Kirklees Council, the Canal and River Trust and the operators of Forge Lane Quarry to create a landscape design for the exchange land in this plot, to ensure that the planting schemes to be included within the Landscape and Ecological Management Plan provide a wider connectivity benefit between the sites. Such landscaping might include but is not limited to improvement in footpaths, occasional benches, specified planting and information boards explaining the history and importance of the area. to ensure that the planting schemes provide a wider connectivity benefit between the sites.
- 9.15.8 Where vegetation removal is proposed in public open space land, replacement planting or measures to enable regeneration will be undertaken. Further details, including planting plans will be included in the LEMP.
- 9.15.9 There will be no significant residual effects on public open space.
- 9.15.10 Therefore, in planning policy terms, the Scheme complies with Policies LP31 and LP61 of the KC Local Plan and is in accord with the NPPF (paragraph 97).

9.16 Socio-economic

- 9.16.1 An assessment of the impacts of the Scheme on socio-economics is contained in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 21 Socio-economic.
- 9.16.2 This assessment considers impacts to:
- Employment;
 - Effects on business activity;
 - Financial investment; and
 - Population and community welfare.
- 9.16.3 During construction temporary moderate beneficial impacts are predicted for the local economy and local workforce, due to direct and indirect demand for labour, resulting in significant Moderate beneficial effects.
- 9.16.4 During the operational phase, whilst the Scheme, as part of the wider TRU Programme, can directly and indirectly play a part in improving connectivity and multi-modal options which would bring obvious benefits, any beneficial changes are anticipated to have a Slight beneficial effect, which is not significant.
- 9.16.5 The improvements will have a beneficial effect overall on access to local businesses in the Scheme area and the local economy in terms of encouraging new development opportunities and jobs that could be generated directly and indirectly by the Scheme.
- 9.16.6 No significant effects are anticipated however measures will be included in a Construction Traffic Management Plan and an External Communications Programme (through the CoCP) which will be implemented during construction to minimise disruption. This may include details on diversion routes, signage and support provided for business access (for operations, workers and customers), along with measures to maintain access to local businesses throughout the construction stage.
- 9.16.7 The operation of the Scheme will have significant beneficial effects on employment, business activity and population and community welfare.
- 9.16.8 Significant residual effects arising from the construction of the Scheme have been identified as those of employment and expenditure in the Local Authority area through the significant Scheme construction and supply chain activity, with a notable local employment target. Though temporary in nature access to employment and upskilling opportunities, including Scheme approaches to apprenticeships, alongside the induced spending impact from direct employees are judged to have a significant beneficial effect.

- 9.16.9 Significant residual effects arising from the operation of the Scheme are identified as resulting from the improved journey times, reliability, and capacity at the Local Authority area and in turn the Sub-regional and Regional level. These improvements are judged to likely bring direct significant benefits to local businesses and the labour market through improved access and in providing opportunities at and around Huddersfield Station through passenger spend and business activity uplifts.
- 9.16.10 Indirectly, the Scheme will also support wider economic benefits through agglomeration and supporting the Sub-regional and Regional strategic aims from its contribution to the wider TRU Programme and strategic connectivity improvements across West Yorkshire and the North of England.
- 9.16.11 As such the Scheme is in accord with the NPPF and Local Plan Policy LP9.

9.17 Traffic and Transport

- 9.17.1 An assessment of traffic and transport related impacts and consequential effects of the Scheme during construction and operation in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 14 Traffic and Transport.
- 9.17.2 The assessment has been informed by the results of a separate Transport Assessment, which was undertaken to quantify the potential impacts of the Scheme on all modes of transport during construction and operation.
- 9.17.3 A comprehensive review of all the potential transport impacts of the Scheme has been undertaken with measures to mitigate any adverse consequences identified.
- 9.17.4 The assessment considers traffic volumes, delays, demand and capacity of the road network and road safety within the affected area. It assesses the potential effect of changes to traffic volumes and traffic composition during construction and operation on a number of assessment areas including driver delay, pedestrian and cyclist delay/amenity, fear and intimidation, accident and safety, and severance.
- 9.17.5 Forecasted traffic growth, traffic associated with planned developments (Committed developments agreed with Kirklees Council) and trip estimates for the Scheme have been added to the Kirklees Traffic Model (provided by Kirklees Council) in order to provide a conservative (worst-case scenario) assessment.
- 9.17.6 The assessment identified a total of 107 links on 68 roads that could be impacted by the Scheme during the construction phase. Links represent sections of road that have the same properties (speed, capacity etc.). A road may be represented by one or many links, depending on whether the properties of the road change for example, a change in speed limit.

9.17.7 Temporary significant adverse effects are predicted for the following:

- Driver delay, pedestrian and cyclist delay, and accidents and safety – 48 links (37 roads);
- Pedestrian and cyclist amenity – 28 links (27 roads);
- Fear and intimidation – 47 links (37 roads); and
- Severance – 67 links (42 roads).

9.17.8 In order to mitigate these effects, a CTMP will be produced to help manage traffic throughout the construction phase and limit the impact on the highway network and receptors. However, due to the requirement for temporary road closures, it is expected that significant adverse residual effects during construction will remain.

9.17.9 The operation of the Scheme will not result in significant changes to traffic flows and will in most cases have a beneficial effect on non-motorised users in and around the stations. It is therefore considered that the operation of the Scheme will have a beneficial effect on road users and on rail travel. Overall, the Scheme is considered to have a permanent beneficial effect of Neutral to Slight significance, which is not significant.

9.17.10 As no significant effects have been identified during the operational phase, no mitigation measures are proposed.

9.17.11 Whilst a significant effect has been identified, this would be temporary and would be mitigated by the implantation of the CTMP. The Scheme delivers a key transport proposal which has been identified in transport and local planning policy and which will have a beneficial operational impact and significant wider public benefit. The Scheme thus is in accord with section 9 of the NPPF and KC Local Plan policy LP21.

9.18 Waste and Materials

9.18.1 An assessment of the waste and materials effects associated with the construction and operation of the Scheme is set out in the Environmental Statement in Volume 2i: Scheme wide assessment: Chapter 13 Waste and Materials.

9.18.2 The study area for this assessment covers the Yorkshire and The Humber region for waste and Yorkshire and The Humber region and nationally (UK) for materials.

9.18.3 Effects associated with the construction of the Scheme include the high volume, short-term, permanent use of landfill void capacity and materials, and the sterilisation in part of Mineral Safeguarding Areas.

9.18.4 To mitigate these effects, the Scheme has been designed to reuse excavated material instead of bringing in virgin fill material to reduce the need for imported material and waste disposal. A Materials Management Plan (MMP) incorporating a Soils Mitigation

Plan, and a Waste Management Plan (WMP) will also be implemented during construction.

9.18.5 On-site mitigation will also include best practice such as providing separate containers for waste to achieve high recycling rates and training staff to minimise waste generation. Activities in the operation phase will also follow Network Rail's environmental standards.

9.18.6 Having implemented the mitigation measures no significant effects are anticipated.

9.18.7 Such measures ensure the Scheme is compliant with KC Local Plan policies LP51 & 52.

9.19 Water Environment

9.19.1 Construction and operation of the Scheme has the potential to affect water quality and water resources, surface water flow and flood risk.

9.19.2 A water environment assessment has been undertaken for the Scheme and has considered impacts to surface water quality, hydromorphology, flood risk and groundwater quantity and flow associated with the Scheme.

9.19.3 The Scheme crosses or runs close to several rivers, lakes, ponds and canals. In total, 32 receptors have been identified comprising two surface water features; one groundwater body; 12 culverts; and 17 surface watercourses.

9.19.4 A Flood Risk Assessment and Water Framework Directive Compliance Assessment have also been prepared for the Scheme.

9.19.5 The Environment Agency's flood maps show that the Scheme crosses both Flood Zones 2 and 3 associated with several waterbodies. In addition to the designation of flood zones along the Scheme, other critical flood management infrastructure is present within the affected area.

9.19.6 Potential adverse effects identified during construction include risk of contamination, increase in flood risk, increase in surface water runoff, the inclusion of works in the channel of the River Calder (associated with the new viaduct at Ravensthorpe) and changes in the functionality and capacity of a floodplain.

9.19.7 During operation, a significant effect has been identified due to the presence of the new viaduct across the River Calder at Ravensthorpe. The effects result from the engineering structures that are required to be built at the edge of the River (river training walls). The construction of an embankment in this area will also change the functionality and capacity of the floodplain.

9.19.8 The following mitigation is proposed:

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- All construction activities including construction compounds and in-channel works, will be carried out in accordance with best practice guidelines and the CoCP;
- A Pollution Prevention and Incident Control Plan (PPICP) will ensure contamination of watercourses is prevented;
- All works be undertaken in accordance with the Scheme-wide drainage strategy;
- Water quality monitoring will also be used where high risks from in-channel works are expected; and
- A flood storage area will be provided to compensate for the area of floodplain lost as a result of the Scheme.

9.19.9 With the adoption of such mitigation measures, there will be no effects on the water environment during either construction or operation of the Scheme.

9.19.10 The Scheme therefore complies with KC Local Plan policies LP 27 (Flood Risk) and LP 28 (Sustainable drainage systems) and consistent with NPPF Section 14.

10. PLANNING CONDITIONS

10.1.1 Where it is necessary to mitigate an adverse effect of the Scheme as set out in the Environmental Statement (and summarised above), this mitigation shall be secured by the imposition of planning conditions.

10.1.2 A full list of proposed planning conditions is set out in Schedule 1 to the Request for deemed planning permission submitted in accordance with Rule 10 (6) Deemed Planning Permission as part of the TWAO application.

10.1.3 A summary of the proposed planning conditions is given below:

- Condition 1 limits the commencement of development to five years to comply with the requirements of the Town and Country Planning Act 1990;
- Condition 2 requires the development to be implemented in accordance with the planning drawings to ensure that the development is carried out in accordance with the submitted drawings;
- Condition 3 requires a schedule of the stages of development to govern phasing of the scheme and to be tied in with associated conditions where appropriate;
- Condition 4 governs an ecology and landscape management plan;
- Condition 5 requires a Code of Construction Practice (CoCP) Part A and B to be produced;
- Condition 6 requires specific detail on construction traffic management;
- Condition 7 is a requirement for approval of details of all external surface materials;

- Condition 8 relates to a written scheme of archaeological investigation and management;
- Condition 9 relates to details on the means of enclosure;
- Condition 10 concerns contaminated land;
- Condition 11 relates to unexpected contamination;
- Condition 12 addresses the provision of noise attenuation barriers;
- Condition 13 is a requirement to provide details on anti-trespass measures on Westgate Road bridge (MVL3/90);
- Condition 14 relates to the works at the Ravensthorpe Static Frequency Converter Site;
- Condition 15 relates to the scheme wide drainage strategy; and
- Condition 16 covers works at Hillhouses Yard.

11. CONCLUSION

- 11.1.1 The Scheme has been considered against the relevant local and national policy. It is clear that the Scheme would deliver significant economic and social benefits as well as unlocking the wider Trans-Pennine upgrade programme. This presents a clear opportunity to make a substantial contribution to achieving the strategic objectives of local and national planning and transport policy.
- 11.1.2 As is set out, the environmental impacts arising as a result of the Scheme as set out in the Environmental Statement can be effectively mitigated.
- 11.1.3 At the heart of the NPPF is a presumption in favour of sustainable development. In achieving that objective, the Trans-Pennine upgrade has been designed with paragraph 8's core land use planning objectives in mind. Overall this scheme is highly sustainable; although only around 13 miles in length in comparison with the full Trans-Pennine route between Liverpool and Newcastle (183 miles) it yields significant benefit to the national rail network and especially in terms of connectivity between the principal cities and towns of the North. Increased capacity and a more reliable and efficient operation of the main line contributes to a better rail network and making it a more attractive alternative to the private car, which in itself helps to promote sustainable patterns of transport and help stimulate opportunities for economic growth in the Kirklees area and the wider Northern economy. With an estimated overall spend of around £1.1 billion on construction alone the wider impacts on the local economy will be significant both during the construction phase and once operational.
- 11.1.4 This Statement has demonstrated that the Trans-Pennine upgrade is consistent both with National Planning Policy and with the Local Planning Authority's development plan

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

policies. It will also lead to local improvements in terms of biodiversity, water quality and public rights of way. Overall, this scheme is highly sustainable; this justifies the approval of deemed planning consent.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

APPENDICES

Appendix 1: Schedule of Relevant Planning Applications

Westtown & Ravensthorpe

Application Ref	Site	Description of Development	Decision Date
2010/90608	Thornhill Quarry Calder Road	Extension of life of Quarry for fuel recovery, sand and gravel extraction and the disposal of waste	Approved August 2010
2012/92979	Forge Lane Quarry Thornhill Lees	Extraction of sand, gravel and ash, formation of vehicular access, and restoration of the land to a landform suitable for angling and nature conservation using imported construction, demolition and excavation waste	Approved April 2014
2015/92564	Newlay Concrete Calder Road	Erection of 2 storey office building & single storey manufacturing unit	Approved January 1984
2016/94118	Land off Ravensthorpe Road	Outline consent for residential development (120 units)	Approved April 2017
12/93687	Thornhill Quarry	Variation required of condition 1 on previous permission 2010/90608 for fuel recovery, sand and gravel extraction and the disposal of waste	Approved December 2013
2019/90391	Thornhill Quarry	Discharge of condition 22 of previous permission 2012/9367 for variation required of condition 1 on previous permission 2010/90608 for fuel recovery, sand and gravel extraction and the disposal of waste	Condition discharged March 2019
2016/90400	Cartwright Mills, Watergate Road Westtown	Alteration to condition 13 (burning of waste) on previous permission 2003/90181 for change of use from scrap yard to household waste storage and transfer station	April 2016
2003/90181	Cartwright Mills, Watergate Road Westtown	Change of use from scrap yard to household waste storage and transfer station	March 2003

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

2016/70/93495	Forge Lane Quarry Thornhill Lees	Removal of conditions relating to 2012/92979 (Extraction of sand, gravel and ash, formation of vehicular access, and restoration of the land to a landform suitable for angling and nature conservation using imported construction, demolition and excavation waste)	Approved March 2017
---------------	-------------------------------------	---	---------------------

Mirfield & Batteyford

Application Ref	Site	Description of Development	Decision Date
2014/62/92076/W	Heaton Lodge Cottages	Conversion and extension of barn/stable to form dwelling	Approved October 2014 and development has commenced though not completed
2017/92997	Former Lidl Supermarket site, Station Road Mirfield	70 retirement apartments	Approved February 2019. Under construction.
2017/90557	Land off Woodend Road Mirfield (old railway engine sheds)	Erection of 99 dwellings	Approved November 2017. Under Construction.
2001/92359/OUT	Land off Woodend Road Mirfield (old railway engine sheds)	Outline consent for 230 dwellings and industrial development	Refused September 2003 (Appeal upheld December 2004)
2018/91377	Dr Reddy's Chemical Factory Steanard Lane Mirfield	Extension to production building and servicing bay	Approved June 2018
2018/90670	Dr Reddy's Chemical Factory Steanard Lane Mirfield	Remediation strategy for storage building consent 2016/94177	Approved April 2018
2016/94177	Dr Reddy's Chemical Factory Steanard Lane Mirfield	Storage Building	Approved February 2017

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

Huddersfield

Application Ref	Site	Description of Development	Decision Date
2017/91111	Station Road Bradley	Outline Consent for erection of industrial development B1, B2 and B8 uses	Approved August 2017
2016/93896	Station Road Bradley Junction	Erection of four dwellings	Approved February 2017

Appendix 2: Relevant Policies Applicable To The Proposed Scheme

Kirklees Local Plan - relevant policies

Policy LP1

Presumption in favour of sustainable development

When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b. specific policies in that Framework indicate that development should be restricted*

Policy LP2

Place shaping

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below:

Statement Place Shaping - Huddersfield

Strengths/opportunities for growth

- Frequent rail services to major cities across the north of England from Huddersfield station, as well as services to other towns in Kirklees and West Yorkshire.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- Good access to the M62, particularly from the north.
- Frequent bus network connecting Huddersfield town centre to outlying areas of the town and to other areas in Kirklees and elsewhere in West Yorkshire.
- Priority in Kirklees Economic Strategy to revitalise Huddersfield town centre
- The University of Huddersfield and Kirklees College potentially attracting investment.
- The town centre is a focus for shopping and leisure and there are opportunities to enhance this provision; including through enhanced independent retail.
- Attractive buildings and spaces of historic and architectural interest in the town centre.
- The town centre is the district's main cultural and leisure hub with opportunities to enhance this provision, along with links to the Stadium and proposed HD One development.
- Many areas of the town have good access to green spaces and the surrounding countryside for leisure opportunities.
- Greenways present opportunities for walking and cycling, including proposed enhancements to the cycle network to Golcar and connections to the Calder Valley.
- Strong and innovative manufacturing sector linked to educational establishments.
- The River Holme, River Colne, Huddersfield Narrow Canal and Huddersfield Broad canal, with the Aspley Marina and Waterfront Quarter can provide attractive settings for development and attract investment.
- Green Flag parks at Beaumont Park and Greenhead Park are leisure and recreation assets.
- Economic opportunities in the creative sector linked to the University, Kirklees College and media centre.
- Mixed use development in sites around the town centre such as the Waterfront Quarter, former Sports Centre and Technical College site.
- Strong housing market in the north of Huddersfield.
- District centres at Almondbury, Lindley, Marsh and Moldgreen meeting a range of everyday shopping and service needs, along with other local centres throughout Huddersfield.

Challenges to growth

- Traffic congestion and poor access to M1 from across Huddersfield and poor access to M62 from the south.
- Maximising the potential of the relatively flatter and accessible potential development locations.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- Flatter areas at low levels tend to be at risk of flooding.
- Poor air quality in some areas.
- Pockets of high unemployment, deprivation and poor health.
- The housing market is weak in some areas, which may be a barrier to development of brownfield sites.
- Some historic buildings are in poor condition, with the Conservation Areas at Birkby and Edgerton on the Heritage at Risk register
- Shortfall of Grade A office accommodation and private sector service employers relative to other large towns.
- Traffic detracting from environmental quality around Huddersfield town centre on the ring road and also Marsh and Moldgreen centres which are located on arterial roads.

Statement Place Shaping - Dewsbury and Mirfield

Strengths/opportunities for growth

- Dewsbury is less than ten minutes from Leeds on the train and enjoys direct rail links to other major northern cities.
- Dewsbury is an important public transport hub with bus services linking to other parts of North Kirklees and to Leeds, Bradford and Wakefield.
- Mirfield is currently the district's only direct rail link to London.
- Relatively good motorway links from Mirfield to M62 and north-east Dewsbury to M62 and M1.
- Priority in Kirklees Economic Strategy to transform Dewsbury, building on strategic location and driven by integrated housing and economic development in town centre.
- Strong housing market areas of Mirfield and outskirts of Dewsbury.
- District centres at Mirfield and Ravensthorpe meeting a range of everyday shopping and service needs, along with other local centres throughout Dewsbury and Mirfield.
- Attractive buildings and townscape in Dewsbury, with enhanced buildings such as Pioneer House and the Victorian Arcades.
- Kirklees College potentially attracting investment.
- Established greenway network and Dewsbury Country Park.
- Brownfield opportunities from former industrial uses.
- Potential to enhance river and canal corridors for the River Calder, Spennings River and the Calder Hebble Navigation to help attract investment and provide an attractive setting and a leisure and recreation asset.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- A growing young population with a history of enterprise and community networks.
- Crow Nest Park has a Green Flag award and is a leisure and recreation asset for Dewsbury.
- Out of centre retail and leisure park at Birstall, attracts visitors from a wide area and provides an opportunity to create linked trips to towns in north of the district.

Challenges to growth

- Traffic congestion on key routes.
- Railway stations at Ravensthorpe and Mirfield currently have a lack of facilities.
- High levels of inequality between strong and weak housing market areas.
- Narrow Green Belt gaps separating some settlements, particularly around Mirfield.
- Flatter areas at low levels tend to be at risk of flooding.
- Many brownfield opportunities are in weak housing market areas.
- Poor air quality in some areas.
- Poor environmental quality in some areas reduces potential for investment.
- Higher than average retail floorspace vacancy in Dewsbury Town Centre.
- Traffic detracting from environmental quality between Dewsbury Town Centre and the railway station and in Mirfield and Ravensthorpe centres which are located on busy roads.
- Dewsbury town centre Conservation Area is on the Heritage at Risk register.
- Pockets of high unemployment, deprivation and poor health.
- The regeneration of Dewsbury as a place to live, work and invest.
- Out of centre retail and leisure park at Birstall, attracts visitors from a wide area and plays an important retail role, meaning it is necessary to reinforce the role of main town centres in north of the district.

Policy LP4

Providing infrastructure

The council will work with partners to bring forward the necessary and proportionate essential and desirable infrastructure that is required in order to deliver the spatial strategy as set out in the Local Plan. Essential infrastructure is defined as infrastructure that is required to make development acceptable in planning terms. Desirable infrastructure is described as infrastructure which would improve the capacity and deliver place making benefits.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

Where new infrastructure is needed to support new development, the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed. Where new infrastructure is needed, the council will expect phasing plans to be submitted as part of planning applications and where appropriate, will link the construction and occupation of that development to infrastructure provision.

New development should contribute to the provision of infrastructure, taking account of local and strategic needs and financial viability. This may be achieved on-site or off-site through planning conditions or legal agreements and/or through contributions to the Community Infrastructure Levy

Policy LP9

Supporting skilled and flexible communities and workforce

The council will work with partners to accelerate economic growth through the development of skilled and flexible communities and workforce in order to underpin future economic growth to deliver the Kirklees Economic Strategy.

Wherever possible, proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district with the aim of increasing wage levels and to support growth in the overall proportion of the districts' residents in education or training.

Applicants should reach an agreement with the council about measures to achieve this, which could include:

provision of specific training and apprenticeships that are related to the proposed development or support other agreed priorities for improving skills and education in Kirklees or the creation of conditions to support a higher performing workforce, increasing productivity and the in work progression of employees. The Council will therefore seek to secure an agreed training or apprenticeship programme with applicants where development meets the following thresholds:

3,500 sq.m. or more of business or industrial floorspace; or

Housing developments which would deliver 60 dwellings or more.

In instances where the development does not trigger one of the above thresholds then wherever feasible the Council will seek to secure alternative education or training programmes with the applicant.

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

To contribute to skills development, the council will support development which relates to the operational needs of and/or expansion of all of the district's higher, further and specialist education establishments including the University of Huddersfield and Kirklees College.

Ancillary and related uses will also be supported providing it can be demonstrated that such uses are:

- a. genuinely linked to the education establishment and its operations;*
- b. in locations where they are compatible with the surrounding land uses;*
- c. in accessible locations which minimise the need to travel; and*
- d. where it does not conflict with the plan's town centre policies or other relevant policies.*

Where appropriate any new or proposed extensions to existing campuses should be guided by a comprehensive, up to date strategy and masterplan.

Policy LP19

Strategic transport infrastructure

The ability to move goods and people is particularly important given the district's strategic position on the national motorway and rail networks, its links with regional facilities such as airports/ports and its central position between the Leeds, Sheffield and Manchester City regions. This gives the district a distinct locational advantage. Efficient access for goods and services is also a key factor in supporting the vitality of urban areas. The aim is to achieve a balanced and integrated transport network which makes the most efficient and effective use of road, rail and public transport.

- 1. The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region. Development will be strategically placed along core networks where available and the developing core cycle network, all of which will be improved and maintained where possible to reduce congestion and reliance on the private car;*
- 2. Proposals will be encouraged where they assist to bring forward strategic transport infrastructure where possible, particularly where they would directly benefit from these schemes;*
- 3. Proposals that may prejudice the future development of the following will not be permitted:*
 - strategic transport infrastructure;*
 - identified highway improvements;*

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- *traffic management schemes;*
- *proposed public transport facilities, including the improvement of existing rail stations and rail corridors and walking and cycling infrastructure; and*
- *strategic cross boundary schemes.*

4. National, regional and local transport schemes are identified on the Policies Map and listed below:

- *TS1 A62/A644 Huddersfield to M62 J25*
- *TS2 New Motorway junction 24a on M62*
- *TS3 Huddersfield Southern Gateways*
- *TS4 A629 Halifax Road (Huddersfield to Halifax Corridor)*
- *TS5 Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone*
- *TS6 Highway Network Efficiency Programme*
- *TS7 Public Transport Improvement Schemes*
- *TS8 Walking and Cycling Improvement Schemes*
- *TS9 Strategic Road Network Improvements*

The Council will safeguard land to ensure these schemes can be delivered. Detailed transport schemes that require planning permission will have regard to the constraints and considerations as set out in Local Plan such as impact on designated heritage assets and any other environmental impacts.

Policy LP21

Highways and access

Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe.

Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network.

All proposals shall:

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network;*
- b. where needed, provide new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles;*
- c. be accompanied by a supporting Transport Assessment or Transport Statement where the*
- d. development would generate significant trip generation, providing detail as to the impact on highway safety, air quality, noise and light restrictions;*
- e. take into account changes in site levels and topography to ensure the development can be accessed easily and safely by all sections of the community and by different modes of transport;*
- f. take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;*
- g. take into account access for emergency, service and refuse collection vehicles;*
- h. provide on-site safe, secure and convenient cycle parking/storage facilities to encourage sustainable travel modes.*

Policy LP24

Design

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;*
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;*
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;*
- d. high levels of sustainability, to a degree proportionate to the proposal, through:*

- i. The re-use and adaptation of existing buildings, where practicable;*
- ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;*
- iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;*
- iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;*
- v. providing charging points to encourage the use of electric and low emission vehicles;*
- vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;*
- vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate; and*
- viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.*
- e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;*
- f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;*
- g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;*
- h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;*
- i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and*
- j. the provision of public art where appropriate.*

Policy LP27

Flood risk

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

Proposals for development which require a Sequential Test in accordance with national planning guidance will need to demonstrate that development has been directed to areas at the lowest probability of flooding, following a sequential risk-based approach. The whole Kirklees district should be the starting point for the sequential test with applicants required to provide justification where a smaller area of search is proposed. If following application of the sequential test, there are no reasonably available sites which could accommodate the development in zones with a lower probability of flooding, it should also be demonstrated that a sequential approach has been applied within sites. This is to ensure that highly vulnerable and more vulnerable uses are directed towards the areas of lowest flood risk within the site. Proposals will also need to demonstrate that the exception test is passed, where applicable, as set out in national planning policy.

Proposals within flood zone 3ai will be assessed in accordance with national policies relating to flood zone 3a but with all of the following additional restrictions:

- a. no new highly vulnerable or more vulnerable uses will be permitted;*
- b. less vulnerable uses may only be permitted provided that the sequential test has been passed and;
 - I. where extensions are linked operationally to an existing business or,*
 - II. where redevelopment of a site provides buildings with the same or a smaller footprint;**
- c. all proposals will be expected to include flood mitigation measures such as compensatory storage which should be identified and considered through a site specific Flood Risk Assessment;*
- d. development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role.*

Proposals must be supported by an appropriate site specific Flood Risk Assessment in line with national planning policy. This must take account of all sources of flooding set out in the Strategic Flood Risk Assessment and demonstrate that the proposal will be safe throughout the lifetime of the development (taking account of climate change).

The proposal must also not increase flood risk elsewhere and where possible should reduce flood risk. Mitigation measures, where necessary, should be proposed. Proposals involving building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.

Proposals for natural management such as targeted vegetation planting in upper catchments and along river banks will be supported in appropriate locations where consistent with national and local plan policies and relevant water catchment management plans to reduce flood risk and improve water quality.

Policy LP28

Drainage

The presumption is that Sustainable Drainage Systems (SuDS) will be used to assist in achieving the following on each site:

- a. for proposals on greenfield sites, typical greenfield run-off rates should not be exceeded;*
- b. for proposals on brownfield sites there should be a minimum 30% reduction in surface water run-off where previous positive surface water connections from the site can be proven.*
- c. New connections will be subject to at least greenfield restrictions;*
- d. No negative impact on local water quality and improvements in water quality where practicable;*
- e. Consider whether proposed open spaces and green infrastructure within sites can contribute to the sustainable drainage of the site.*

Local conditions including the existence of critical drainage areas may require a lower run-off rate to be agreed to reflect volume control, local surface water risks, water course capacity and flood risk further downstream.

There will be a general presumption against pumping surface water. It must also be demonstrated that the surface water management solution is designed to meet requirements over the lifetime of the development including evidence that management and maintenance arrangements have been secured to cover that period. This includes ensuring proposals to store water meet national standards and latest best practice.

Flow paths accommodating water from outside the site or due to an exceedance event should be designed to avoid buildings and curtilages.

Development will only be permitted if it can be demonstrated that the water supply and waste water infrastructure required is available or can be co-ordinated to meet the demand generated by the new development.

Policy LP30

Biodiversity & Geodiversity

The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats and Species of Principal Importance and the Kirklees Wildlife Habitat Network.

South Pennine Moors

Proposals which may directly or indirectly compromise achieving the conservation objectives of a designated or candidate European protected site will not be permitted unless the proposal meets the conditions specified in Article 6 (3) - (4) of the Habitats Directive.

Statutory Designated Sites

Statutory designated sites, including the South Pennine Moors Special Protection Area (SPA) and Special Area for Conservation (SAC) and Sites of Special Scientific Interest, are already highly protected through existing laws and legislation. In accordance with legislation, the Council will seek to ensure that harmful impacts to these areas as a result of development proposals are avoided.

Development proposed within or outside a designated Site of Special Scientific Interest, likely to have an adverse effect on the site's special nature conservation features, will not normally be permitted.

Exceptionally development will be allowed where the benefits of the development clearly outweigh the impacts on the site's special conservation features and measures are provided to mitigate harmful impacts.

The Dark Peak Nature Improvement Area

Proposals that contribute to the aims and objectives of the Dark Peak Nature Improvement Area will in principle be supported, subject to other policies in this plan. Development likely to have an adverse impact on the aims and objectives of the NIA will not be permitted.

Local Designated Sites & Important Local Ecological Features

Proposals having a direct or indirect adverse effect on a Local Wildlife Site or Local Geological Site, Ancient Woodland, Veteran Tree or other important tree, will not be permitted unless the benefits of the development can be clearly shown to outweigh the need to safeguard the local conservation value of the site or feature and there is no alternative means to deliver the proposal. In all cases, full compensatory measures would be required and secured in the long term.

Habitats and Species of Principal Importance

Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured.

Biodiversity and Development

Development proposals will be required to:-

- (i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;*
- (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;*
- (iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term;*
- (iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and*
- (v) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.*

Policy LP31

Strategic Green Infrastructure Network

Within the Strategic Green Infrastructure Network identified on the Policies Map, priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide.

Development proposals within and adjacent to the Strategic Green Infrastructure Network should ensure:-

- (i) the function and connectivity of green infrastructure networks and assets are retained or replaced;*
- (ii) new or enhanced green infrastructure is designed and integrated into the development scheme where appropriate, including natural greenspace, woodland and street trees;*
- (iii) the scheme integrates into existing and proposed cycling, bridleway and walking routes, particularly the Core Walking and Cycling Network, by providing new connecting links where opportunities exist;*

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

(iv) the protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network.

The council will support proposals for the creation of new or enhanced green infrastructure provided these do not conflict with other Local Plan policies.

Policy LP32

Landscape

Proposals should be designed to take into account and seek to enhance the landscape character of the area considering in particular:

- a. the need to protect the setting and special qualities of the Peak District National park, views in and out of the park and views from surrounding viewpoints;*
- b. the setting of settlements and buildings within the landscape;*
- c. the patterns of woodland, trees and field boundaries;*
- d. the appearance of rivers, canals, reservoirs and other water features within the landscape.*

Policy LP33

Trees

The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks. Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme.

Policy LP35

Historic environment

1. Development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be

demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm, or all of the following are met:

- a. the nature of the heritage asset prevents all reasonable uses of the site;*
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.*

2. Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset. In the case of developments affecting archaeological sites of less than national importance where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development.

3. Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to:

- a. ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets;*
- b. ensure that proposals within Conservation Areas conserve those elements which contribute to their significance;*
- c. secure a sustainable future for heritage assets at risk and those associated with the local textile industry, historic farm buildings, places of worship and civic and institutional buildings constructed on the back of the wealth created by the textile industry as expressions of local civic pride and identity;*
- d. identify opportunities, including use of new technologies, to mitigate, and adapt to, the effects of climate change in ways that do not harm the significance of heritage assets and, where conflict is unavoidable, to balance the public benefit of climate change mitigation measures with the harm caused to the heritage assets' significance;*
- e. accommodate innovative design where this does not prejudice the significance of heritage assets;*
- f. preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted*

Policy LP37

Site restoration and aftercare

Part 1

Mineral working will be permitted only where the council is satisfied that the site can be restored and managed to a high standard, the proposed restoration is sympathetic to the character and setting of the wider area and is capable of sustaining an appropriate after-use.

Restoration proposals for mineral workings should be designed to:

- a. clearly indicate how the site will be restored and managed, before, during and after working;*
- b. ensure that restoration is completed at the earliest opportunity including the use of progressive restoration techniques where appropriate;*
- c. ensure that restoration and aftercare is appropriate with regard to the characteristics of the site's surroundings, including landscape character;*
- d. demonstrate that adequate financial provision has been made to fulfil the proposed restoration and aftercare requirements; and*
- e. include, where appropriate, provision for the extended management of a site beyond any aftercare period required by planning condition.*

Part 2

Mineral working will be permitted only where the proposed site restoration delivers benefits such as enhancement of biodiversity interests, improved public access and the provision of climate change mitigation.

Restoration proposals should therefore include:

- a. measures to assist or achieve priority habitat or species targets and/or biodiversity Action Plan targets;*
- b. where appropriate, measures to protect and/or improve geodiversity and provide educational opportunities to visit such sites;*
- c. provision for increased flood storage capacity for sites which fall within high flood risk areas;*
- d. where appropriate, opportunities to provide for local amenity uses, including appropriate sport and recreational uses; and*
- e. measures to restore land back to agriculture for sites involving the best and most versatile agricultural land.*

Policy LP38

Minerals safeguarding

1. Surface development will only be permitted within a Mineral Safeguarded Area where it has been demonstrated that:

- a. the mineral concerned is proven to be of no economic value as a result of the undertaking of a Mineral Resource Assessment; or*
- b. the development will not inhibit mineral extraction if required in the future; or*
- c. there is an overriding need for the development; or*
- d. the mineral can be extracted prior to the development taking place*

2. This policy will not apply to the following classes of surface development as they are unlikely to lead to the long term sterilisation of viable mineral resources:

- a. extension to existing buildings and the erection of ancillary buildings within their curtilages;*
- b. developments on sites of less than 1000 sq. meters except for proposals within 250 metres of an existing planning permission for mineral extraction;*
- c. minor development (such as walls, gates and access);*
- d. temporary uses of sites for periods of less than 5 years;*
- e. amendments to previously approved developments;*
- f. applications for Listed Building Consent;*
- g. reserved matters;*
- h. applications for advertisement consent*

Policy LP39

Protecting existing and planned minerals infrastructure

The following sites have been identified as either providing or potentially providing facilities associated with the transport, storage, handling and processing of minerals within the district and should therefore be safeguarded from development which would otherwise result in the loss of such facilities:

Former coal / aggregates depot and associated rail spur off Bretton Street, Dewsbury

Concrete batching plant off Lees Hall Road, Thornhill Lees, Dewsbury

Rolled products plant (Asphalt) at Newlay Concrete, Calder Road, Ravensthorpe

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

Cement depot and associated rail spur off Bretton Street, Savile Town, Dewsbury

Coal wharf for the former Thornhill Power Station adjacent to the Calder and Hebble Navigation

Concrete batching plant off Barr Street, Huddersfield

Concrete products plant at Longley C R & Co Ltd, Ravensthorpe Road, Ravensthorpe

Policy LP40

Alternative development on protected minerals infrastructure sites

Development on or within 100m of protected minerals infrastructure sites will be acceptable if it can be demonstrated:

- a. that use of a mineral infrastructure site is no longer economically viable, or there is already adequate provision meeting the need elsewhere; or*
- b. the new development will result in the provision of alternative facilities of equal or better quality; or*
- c. there is an overriding need for the development; or*
- d. the development will be of a temporary nature that would not preclude a site being brought back into use for mineral infrastructure purposes; or*
- e. the development would involve the extension of existing buildings or the erection of ancillary buildings within their curtilages.*

Policy LP45

Safeguarding waste management facilities

Existing waste management facilities and land surrounding these facilities as identified on the Policies Map will be protected unless it can be demonstrated that there is no longer a need for the facility or where capacity can be met elsewhere in the district. Proposals for development in the vicinity of an existing or planned waste management facility will be

required to demonstrate that the proposed development does not prevent, hinder or unreasonably restrict the operation of the waste development.

Policy LP51

Protection and improvement of local air quality

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

- 1. Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would have an unacceptable impact on the natural and built environment or to people.*
- 2. Proposals that have the potential to increase local air pollution either individually or cumulatively must be accompanied by evidence to show that the impact of the development has been assessed in accordance with the relevant guidance. Development which has the potential to cause levels of local air pollution to increase must incorporate sustainable mitigation measures that reduce the level of this impact. If sustainable measures cannot be introduced the development will not be permitted.*
- 3. Where the development introduces new receptors into Air Quality Management Areas or Areas of Concern or near other areas of relatively poor air quality, for example near roads or junctions, the development must incorporate sustainable mitigation measures that protect the new receptors from unacceptable levels of air pollution. Where sustainable mitigation measures cannot be introduced which prevent receptors from being exposed to unsafe levels of air pollution, development will not be permitted.*

Policy LP52

Protection and improvement of environmental quality

Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.

Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted.

Where possible, all new development should improve the existing environment.

Policy LP53

Contaminated and unstable land

Development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate contamination assessment and/or land instability risk assessment.

For developments identified as being at risk of instability, or where there is evidence of contamination, measures should be incorporated to remediate the land and/or incorporate other measures to ensure that the contamination/instability does not have the potential to cause harm to people or the environment. Such developments which cannot incorporate suitable and sustainable mitigation measures which protect the well-being of residents or protect the environment will not be permitted.

Policy LP61

Urban green space

Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:

- a. an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or*
- b. replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or*
- c. the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space.*

The protection set out in this policy also applies to smaller valuable green spaces not identified on the Policies Map.

Policy LP69

Minerals extraction sites

The sites listed below are allocated as minerals extraction sites in the Local Plan. Planning permission will be expected to be granted if proposals accord with the development principles set out in the relevant site boxes, relevant development plan policies and as shown on the Policies Map.

(Extract)

MES 6 Forge Lane, Ravensthorpe

Policy LP71

Minerals infrastructure sites

The sites listed below are allocated as minerals infrastructure sites in the Local Plan. Planning permission will be expected to be granted if proposals accord with the development principles set out in the relevant site boxes, relevant development plan policies and as shown on the Policies Map.

(Extract)

Site MIS 4 Rolled products plant at Newlay Concrete, Calder Road, Ravensthorpe

Policy LP72

Strategic waste management site

The site listed below is allocated as a strategic waste management site in the Local Plan. Planning permission will be expected to be granted if proposals accord with the development principles set out in the site box below, relevant development plan policies and as shown on the Policies Map.

(part of the reasoned justification): The following existing waste management sites are safeguarded for continued waste management purposes under Policy LP45:

(Extract)

WS 19 Thornhill Quarry, Ravensthorpe Road, Ravensthorpe

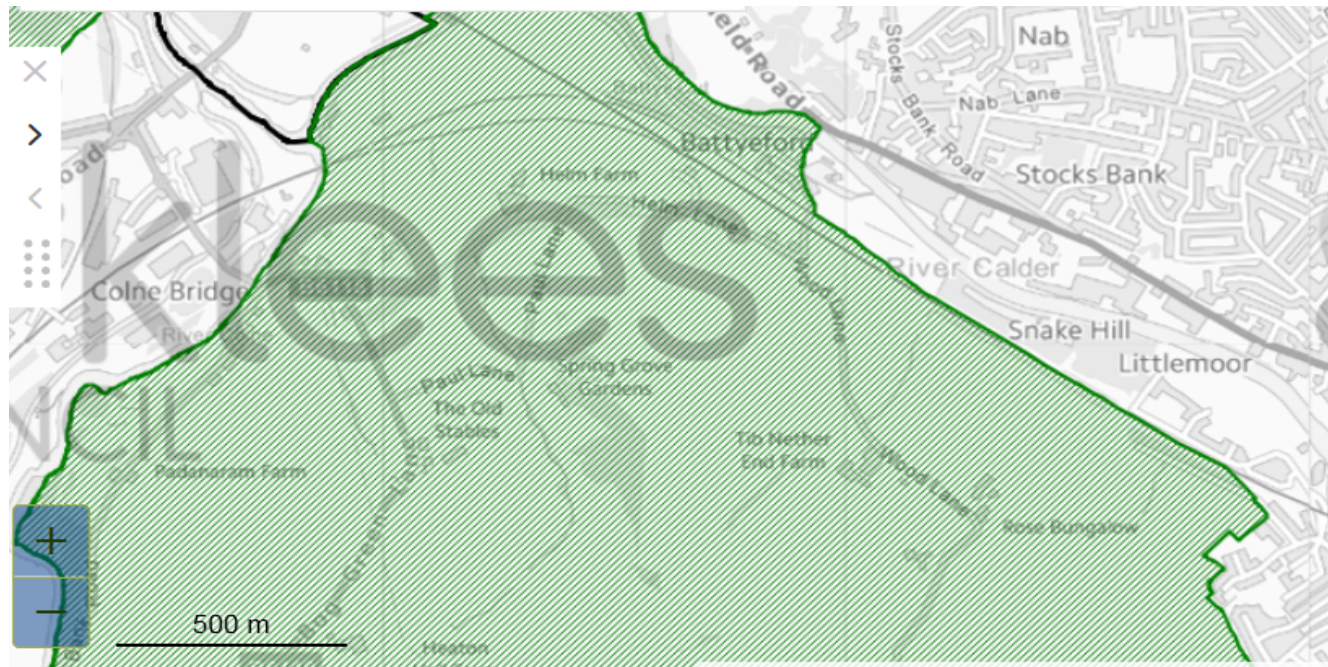
WS 20 Forge Lane Quarry, Forge Lane , Dewsbury

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

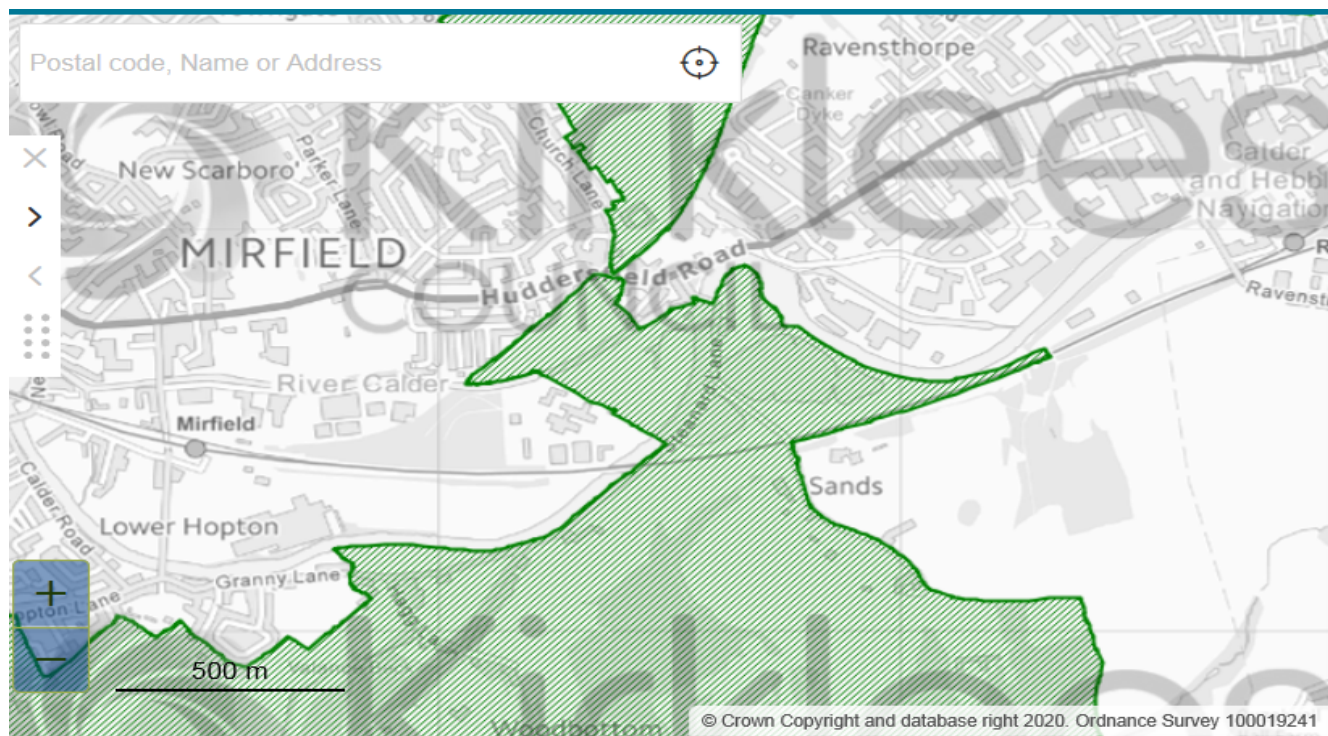
Document NR14 – Planning Statement

March 2021

Appendix 3: Extracts from Kirklees Local Plan showing Green Belt (Heaton Lodge & Mirfield)



Heaton Lodge Area



Green Belt in Steanard Lane (Mirfield) Area

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

Document NR14 – Planning Statement

March 2021

[this page is left intentionally blank]