

**The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 19 October 2021**

*NR/PoE/REB/TR/04 Planning Rebuttal*

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

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**REBUTTAL PROOF**  
**RELATING TO PROOF OF EVIDENCE KIRKLEES COUNCIL**  
**(OBJ/33)**

*Tony Rivero – Planning*

Document Reference	NR/PoE/REB/TR/04
Author	Network Rail
Date	19 October 2021

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**1. INTRODUCTION**

**1.1 Introduction**

1.1.1 The following are Network Rail's responses to the Proofs of Evidence of the following:

- Carol Oakden on behalf of Kirklees Council

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**2. NETWORK RAIL'S REBUTTAL OF OBJECTOR'S EVIDENCE**

**2.1 Kirklees Council**

Introduction

- 2.1.1 Kirklees Council has raised matters in their Proof of Evidence relating to planning aspects of the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order.
- 2.1.2 The following are Network Rail's responses to the Proof of Evidence of Carol Oakden on behalf of Kirklees Council regarding the Weaving Lane Waste Site.

Weaving Lane Waste Site

- 2.1.3 In Section 2.28.8 of the Proof of Evidence, it is stated:

*"Neighbouring landowners and residents should be given the opportunity to comment on the proposals and raise any concerns, either through the TWAO process or via the normal consultation processes for a full planning application, even where they are located outside of the specific TRU land acquisition areas."*

Network Rail Response

- 2.1.4 It is my contention that that consultation is not required as the land area and proposals in question form part of the Transport and Works Act Order and, therefore, extensive consultation has already taken place as part of the pre-application process. However, I can confirm that Network Rail will inform neighbouring landowners and residents of the construction of the scheme at this location when the Order is made in compliance with the external communications programme that is required by the Code of Construction Practice but there is no requirement to do further detailed consultation.

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**3. WITNESS DECLARATION**

**3.1 Statement of declaration**

3.1.1 The named witness hereby declares as follows:

- (i) This rebuttal includes all facts which I regard as being relevant to the opinions that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- (ii) I believe the facts that I have stated in this rebuttal are true and that the opinions expressed are correct.
- (iii) I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.

19 October 2021