

OBJ 15&amp;16&amp;45/DAS/002/1

The Secretary of State for Transport,  
c/o Transport Infrastructure Planning Unit,  
Department for Transport,  
Great Minster House,  
33 Horseferry Road,  
London,  
SW1P 4DR

Date: 13 May 2021

Our ref: 142314.041

Direct tel: 07788 312 424

E-mail: david.strafford@gateleyhamer.com

**By email to [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)**

Dear Sir,

***The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006***  
***The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order***

I am writing on behalf of Kinder Properties Limited, Oak Walk, St Peter, Jersey, E3 7EF ("Kinder"), freehold owner of the Castlegate Retail Park, Huddersfield.

Kinder does not oppose the principle of the proposals underlying the proposed Transport and Works Act Order, however we would like to register an objection for the following reasons:

1. Plot numbers 4-004, 4-005, 4-007, 4-008, 4-009, 4-010, 4-017, 4-019, 4-020, 4-025, 4-026, 4-033, 4-039, 4-041 and plot 4-049 in relation to freehold interests and plot number 4-046 as an occupier interest by Kinder are set out in the Book of Reference to the above Order

A Rule 15 Notice dated 31 March 2021 was served on Kinder c/o Walker Morris LLP at 12 Kings Court Leeds LS1 2HL. This Notice cites plot numbers 4-020, 4-041, 4-046 and 4-049, which relates to a strip of land in Kinder's ownership immediately abutting the west side of the viaduct carrying the Huddersfield to Dewsbury railway line, immediately to the north of viaduct arch 4 within the Castlegate Retail Park carpark.

This is the only Rule 15 Notice received by Kinder.

Clarification is required as to whether the Rule 15 Notice dated 31 March 2021 relating to the four plots 4-020, 4-041, 4-046 and 4-049 is the total extent of Kinder's land required to be used for the scheme.

2. Clarification is required as to the nature and duration of any permanent and/or temporary land take(s) required for the scheme. This is not clear from the Book of Reference Schedule, or from the application, plans and other documents available on Network Rail's website.

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3. Clarification is required as to the nature of proposed vehicle protection measures that are referred to on Drawing Number 151667-TSA-30-MVL3-DRG-T-LP-163100 and the impact of the same on the exit to the Castlegate Retail Park carpark.
4. A pre-order application letter was sent to Kinder's managing agents, Fletcher King, by Network Rail, under reference 151667-TSA-00-TRU-LTR-W-LP-000396 on 18 March 2021. This letter was accompanied by a plan which together suggested that the whole of the Castlegate Retail Park complex was to be included in the Order and utilised in one way or another by Network Rail for the scheme.

The letter referred to the acquisition of airspace rights, temporary possession of the retail car park to undertake 'renewal works', potential crane oversail rights and amendments to the one-way entry and exit traffic management system currently in operation at the car park.

If our understanding as to the extent of the land that has been made subject to the Order by way of the Rule 15 Notice is correct, then those plots outside of the strip of land referred to in paragraph number 1 (i.e. plots 4-020, 4-041, 4-046 and 4-049), have not been included in the operative entry provisions of a Rule 15 Notice.
5. Further, if it is proposed to temporarily change the entry and exit arrangements to the retail park we will need to ensure that an exit on to St John's Road will be possible. We have concerns as to whether it is possible and safe to make a right hand turn exit on to St John's Road from the retail park. Likewise we will need to ensure that a single entry and exit point will not adversely impact deliveries to the retail traders and customer parking. We require significantly more information than has presently been provided.

In submitting this objection Kinder wish for it be noted that they will work collaboratively with Network Rail. A key requirement of this is a full and thorough understanding of the nature, impact and duration of the works to be undertaken and the extent of land to be occupied.

Yours faithfully,



David Strafford

For and on behalf of Gateley Hamer Limited

**David Strafford**

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**From:** TRANSPORTINFRASTRUCTURE <TRANSPORTINFRASTRUCTURE@dft.gov.uk>  
**Sent:** 14 May 2021 10:03  
**To:** Sarah Pritchard  
**Cc:** Oliver Wright  
**Subject:** RE: Unit A Castlegate Retail Park, St John's Road, Huddersfield HD1 5AT

think**SECURE** act**SECURE!** EXTERNAL EMAIL; USE CAUTION.

Dear Sarah,

Thank you for your email and letter acknowledging Domino's objection for above TWA Application. We will write to you soon with a formal response.

Kind regards  
Shenaz Choudhary

**Ms Shenaz Choudhary | Planning Casework Officer, Transport Infrastructure Planning Unit, Department for Transport  
1/14 | 07971 146036 |**

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**From:** Sarah Pritchard [mailto:Sarah.Pritchard@dominos.co.uk]  
**Sent:** 13 May 2021 17:42  
**To:** TRANSPORTINFRASTRUCTURE <TRANSPORTINFRASTRUCTURE@dft.gov.uk>  
**Cc:** Oliver Wright <oliver@dsgroups.co.uk>  
**Subject:** Unit A Castlegate Retail Park, St John's Road, Huddersfield HD1 5AT

Dear Sir /Madam,

I refer to the Network Rail ( Huddersfield to West Town(Dewsbury) Improvements ) Order and am authorized to make representation on behalf of DP Realty T/ A Domino's

Our franchisee occupies the above mentioned commercial building ( no. 4-008 on your plan) and also has rights to park on the land to the rear of the premises ( no. 4-010)

The latter has not been included in the notice addressed to DP Realty but is included in our lease dated 14/11/2005

It is very important that we are able to use the carpark for the duration of the works to the railway, otherwise it will impact our delivery business.

If you need any further information please contact me directly using this email address.

Regards  
Sarah

**Sarah Pritchard**  
Senior Estates Manager  
**Mobile:** +44 7778 469898

OBJ 15&amp;16&amp;45/DAS/005/1

The Secretary of State for Transport,  
c/o Transport Infrastructure Planning Unit,  
Department for Transport,  
Great Minster House,  
33 Horseferry Road,  
London,  
SW1P 4DR

Date: 26 July 2021

Our ref: 142314.138

Direct tel: 07788 312 424

E-mail: david.strafford@gateleyhamer.com

By email to [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)

Dear Sir,

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

***DP Realty Limited (t/a Domino's), Unit A, Castlegate Retail Park, Huddersfield, Statement of Case in relation to The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order***

We act for DP Realty Limited (t/a Domino's) ("DPR"), who have a leasehold interest in Unit A, Castlegate Retail Park, Huddersfield HD1 5AT. DP Realty is also the Landlord in relation to the underlease of Unit A to R&D Yorkshire Limited t/a Domino ("R&D").

DPR is part of the franchiser group of the UK Domino's Pizza chain. R&D is the franchisee of the Huddersfield central outlet and operate the Domino's Pizza hot food takeaway and delivery business from Unit A.

We anticipate being instructed by R&D very shortly and if instructed we will be submitting a letter of objection incorporating a statement of case in relation to that party.

We also act for Kinder Properties Limited ("Kinder"), the owner and Landlord of the Castlegate retail park. As you may be aware, we have lodged a letter of objection and statement of case on behalf of Kinder both of which have been acknowledged by your office.

This statement of case is supplementary to the emails sent by Sarah Pritchard, Senior Estates Manager for DPR on 13<sup>th</sup> May 2021 (acknowledged by your office on 14 May 2021) and 6 July 2021.

The Castlegate Retail Park is located on the northern edge of Huddersfield town centre at the junction of the Castlegate Ring Road and St John's Road. The complex comprises six retail units totalling approximately 22,000ft<sup>2</sup>. Units A and B have a dual frontage on to St John's Road and the rear private carpark, whilst units 1,2,3 and 4 are accessed solely from the private carpark (see DPR Statement of Case Attachment 1 - Schematic and Serial Views).

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The retail park is broadly triangular in shape with the units arranged around two sides, and the railway viaduct that is to be the subject of the Network Rail improvement scheme, along the third side. A 61 space private dedicated carpark is bounded by the retail units and the viaduct. The carpark is maintained by Kinder as Landlord under the service charge provisions of the retail occupiers' leases.

A single point of access (entry only) to the car park is located in the north west corner of the complex from St John's Road. A single point of egress (exit only) is located at the southern point of the triangle exiting on to Fitzwilliam Street, immediately abutting the viaduct arch being Network Rail Bridge MVL3-92.

Both Fitzwilliam Street and St John's Road are subject to double yellow line parking restrictions and all servicing of the retail units is from the private carpark.

Our client feels there has been a lack of consultation on the part of Network Rail both in relation to its business as franchiser and the closely linked operations of its franchisee and undertenant, R&D.

Your Departmental Guidance Transport and Works Act Orders: good practice tips for applicants, updated 26 November 2013 has a specific section headed 'The importance of pre-application consultations' and recommends as follows:

*'Undertaking thorough and effective consultations before an application is made will almost certainly reap dividends later. The extent of consultations required will depend upon the size and nature of the scheme. But having a constructive and meaningful dialogue with those likely to be interested in or affected by a project can provide helpful feedback into its design, can help to allay fears and suspicions that may be based on a lack of understanding of the scheme, and can help greatly to limit the number of objections once an application is made.*

*In particular, promoters are asked to consult key players in their area, such as local authorities, development agencies, public service providers, MP's etc. The importance of meaningful pre-application consultation is reinforced by the statutory procedure rules which require a report summarising the consultations that have been carried out to accompany the application.'*

In the case of the Castlegate retail complex your departmental guidance does not appear to have been fully followed in relation to the Order. There has been very little in the way of dialogue and consultation or any effort to establish the logistics and nature of the franchiser and franchisee's operations from Unit A. Such consultations ought to have been undertaken and should have informed the overall planning of the scheme including but not limited to the loss of car parking spaces and refuse storage area, access and egress from the car park, and critically in the case of the franchisee's operations the impact of the road closures on customer accessibility and delivery services from the unit.

We are of course aware that the Inquiry will not concern itself with financial compensation considerations, and that losses may be claimed by affected owners and occupiers in accordance with the statutory compensation code. This seems to be the sum of Network Rail's response to our concern over the imposition of the scheme proposals on the occupiers' businesses without any prior consultation. Proposals which incidentally are still being determined, consultations with Kirklees Highways only having been commenced on 1 July 2021.

We are concerned that the scheme proposals, timetabling, road closures and associated practical aspects of the scheme have been unilaterally determined by Network Rail and imposed on the occupiers without appropriate and sufficient consultation to assess the impact of the works on all of the businesses.

Whilst DPR did receive the Rule 15 Notices, we are aware that some occupiers have not been notified of the works at all, R&D have received no Notices and Kinder only received one of two Notices allegedly served.

Finally, in closing, we would like to raise the issue of costs. We are aware that there is only limited scope for an objector to recover their costs at inquiry. However, given the circumstances of this case we feel that there is a compelling case for the Secretary of State to exercise his discretion and make a costs award. We have spent a considerable amount of time undertaking a forensic analysis to try and establish precisely what is being proposed as a direct consequence of Network Rail not having fully served the required Notices. There is still a significant lack of detail as to the nature and duration of road closures and the accessibility of the unit for both visiting customers and pizza delivery operations. Please therefore accept this statement of case as a prior application for costs if our objections remain to be dealt with at the inquiry.

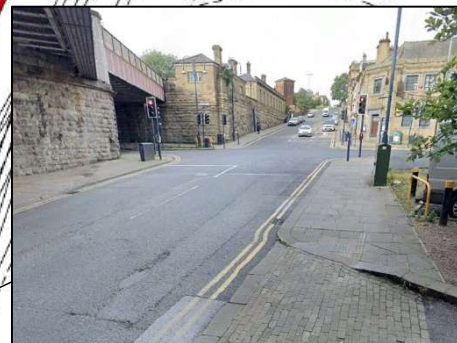
Yours faithfully,



David Strafford

For and on behalf of Gateley Hamer Limited





OBJ 15&amp;16&amp;45/DAS/006/1

The Secretary of State for Transport,  
c/o Transport Infrastructure Planning Unit,  
Department for Transport,  
Great Minster House,  
33 Horseferry Road,  
London,  
SW1P 4DR

Date: 23 September 2021

Our ref: 142314.145

Direct tel: 07788 312 424

E-mail: david.strafford@gateleyhamer.com

By email to [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)

Dear Sir,

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

***R&D Yorkshire Limited Unit A, Castlegate Retail Park, Huddersfield,  
Statement of Case in relation to The Network Rail (Huddersfield to Westtown  
(Dewsbury) Improvements) Order***

We act for R&D Yorkshire Limited ("RDL"), who have a subleasehold interest in Unit A, Castlegate Retail Park, Huddersfield HD1 5AT.

DP Realty Limited have the headleasehold interest in relation to the same unit. We also act for DP Realty Limited (OBJ/16), in respect of which we have previously submitted a Statement of Case.

Kinder Properties Limited are the freehold owner of the Castlegate Retail Park, and the principal Landlord of the complex. We also act for Kinder Properties Limited (OBJ/15), in respect of which we have also previously submitted a Statement of Case.

RDL is the franchisee of the Huddersfield central outlet and operate the Domino's Pizza hot food takeaway and delivery business from Unit A.

In our previous letter to you of 26<sup>th</sup> July 2021 we informed you that we were expected to be instructed by RDL. We have now been instructed and I will be grateful if you kindly accept this letter as our letter of objection incorporating a statement of case in relation to R&D Yorkshire Limited.

The lateness in submitting this objection and statement of case is regretted and due principally to the fact that my client did not receive a Rule 15 Notice.

The Castlegate Retail Park is located on the northern edge of Huddersfield town centre at the junction of the Castlegate Ring Road and St John's Road. The complex comprises six retail units totalling approximately 22,000ft<sup>2</sup>. Units A and B have a dual frontage on to St John's Road and the rear private carpark, whilst units 1,2,3 and 4 are accessed solely from the private carpark (see RDL Statement of Case Attachment 1 - Schematic and Serial Views).

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The retail park is broadly triangular in shape with the units arranged around two sides, and the railway viaduct that is to be the subject of the Network Rail improvement scheme, along the third side. A 61 space private dedicated carpark is bounded by the retail units and the viaduct. The carpark is maintained by Kinder as Landlord under the service charge provisions of the retail occupiers' leases.

A single point of access (entry only) to the car park is located in the north west corner of the complex from St John's Road. A single point of egress (exit only) is located at the southern point of the triangle exiting on to Fitzwilliam Street, immediately abutting the viaduct arch being Network Rail Bridge MVL3-92.

Both Fitzwilliam Street and St John's Road are subject to double yellow line parking restrictions and all servicing of the retail units is from the private carpark.

Prior to the submission of the TWAO to the DfT there had been no consultation by Network Rail in relation with R&D Yorkshire Limited.

Your Departmental Guidance Transport and Works Act Orders: good practice tips for applicants, updated 26 November 2013 has a specific section headed 'The importance of pre-application consultations' and recommends as follows:

*'Undertaking thorough and effective consultations before an application is made will almost certainly reap dividends later. The extent of consultations required will depend upon the size and nature of the scheme. But having a constructive and meaningful dialogue with those likely to be interested in or affected by a project can provide helpful feedback into its design, can help to allay fears and suspicions that may be based on a lack of understanding of the scheme, and can help greatly to limit the number of objections once an application is made.*

*In particular, promoters are asked to consult key players in their area, such as local authorities, development agencies, public service providers, MP's etc. The importance of meaningful pre-application consultation is reinforced by the statutory procedure rules which require a report summarising the consultations that have been carried out to accompany the application.'*

In the case of the Castlegate retail complex your departmental guidance has not been followed in relation to the Order. There has been very little in the way of dialogue and consultation or any effort to establish the logistics and nature of the franchisee's operations from Unit A. Such consultations ought to have been undertaken and should have informed the overall planning of the scheme including but not limited to the loss of car parking spaces and refuse storage area, access and egress from the car park, and critically in the case of the franchisee's operations the impact of the road closures on customer accessibility and delivery services from the unit.

We are of course aware that the Inquiry will not concern itself with financial compensation considerations, and that losses may be claimed by affected owners and occupiers in accordance with the statutory compensation code. This seems to be the sum of Network Rail's response to our concern over the imposition of the scheme proposals on the occupiers' businesses without any prior consultation. Proposals which incidentally are still being determined, consultations with Kirklees Highways only having been commenced on 1 July 2021.

We are concerned that the scheme proposals, timetabling, road closures and associated practical aspects of the scheme have been unilaterally determined by Network Rail and imposed on the occupiers without appropriate and sufficient consultation to assess the impact of the works on all of the businesses.

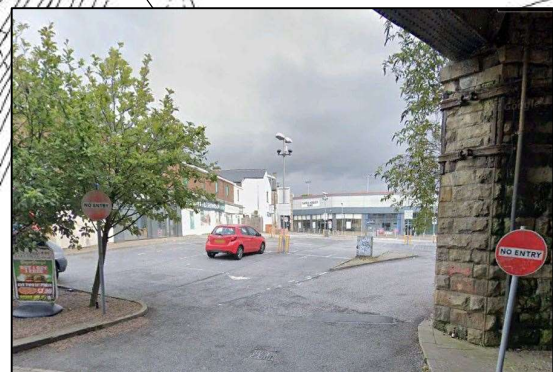
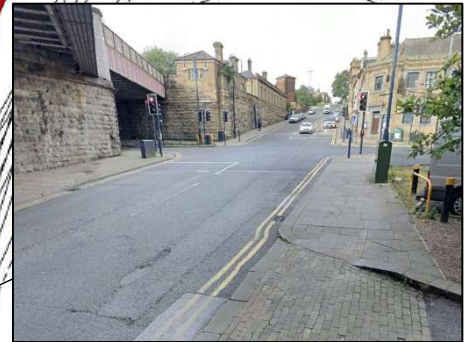
Finally, in closing, we would like to raise the issue of costs. We are aware that there is only limited scope for an objector to recover their costs at inquiry. However, given the circumstances of this case we feel that there is a compelling case for the Secretary of State to exercise his discretion and make a costs award. The key point to recognise is that most of our fees have not been incurred in objecting to the scheme but primarily in trying to understand the impacts, appraise our clients of their options and also inform them of their compensation entitlement in different circumstances, all of which ought to be reimbursed by Network Rail. We have spent a considerable amount of time undertaking a forensic analysis to try and establish precisely what is being proposed as a direct consequence of Network Rail not having fully served the required Notices or undertaking the required pre-Order consultations. The level of detail in the Notices, even if they had been received was, in the absence of the consultations, inadequate to permit an owner or occupier to assess the impact of the works, or to determine what in fact the works will be. There is still a significant lack of detail as to the nature and duration of road closures and the accessibility of the unit for both visiting customers and pizza delivery operations. Please therefore accept this statement of case as a prior application for costs if our objections remain to be dealt with at the inquiry.

Yours faithfully,



David Strafford

For and on behalf of Gateley Hamer Limited



OBJ 15&amp;16&amp;45/DAS/007/1

**The Transport and Works Act 1992****The Transport and Works (Applications and Objections Procedure)  
(England and Wales) Rules 2006****The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order**

To: The Secretary  
Kinder Properties Limited  
c/o Walker Morris LLP  
Kings Court  
12 King Street  
Leeds  
LS1 2HL

**NOTICE OF APPLICATION TO ACQUIRE RIGHTS IN LAND COMPULSORILY, TO EXTINGUISH RIGHTS OVER LAND, TO TEMPORARILY USE LAND AND FOR POWERS TO CARRY OUT PROTECTIVE WORKS TO BUILDINGS ROADS AND APPARATUS OF A STATUTORY UNDERTAKER**

Network Rail Infrastructure Limited ("Network Rail") of 1 Eversholt Street London NW1 2DN has applied to the Secretary of State for Transport under section 6 of the Transport and Works Act 1992 for the above mentioned Order under sections 1 and 5 of that Act.

The draft Order seeks to authorise Network Rail to construct a new railway, including the upgrade and reconstruction of the existing railway, railway electrification works and associated works between Huddersfield and Westtown (Dewsbury). The draft Order also seeks to authorise Network Rail to construct station improvement works at Huddersfield and works for the construction or reconstruction of stations at Deighton, Mirfield and Ravensthorpe.

The draft Order provides for the compulsory purchase of rights in land, the extinguishment of rights over land rights and rights to temporarily use land and provides for rights to carry out protective works to buildings, roads and apparatus of a statutory undertaker on land within the limits of the draft Order.

The land described in the Schedule to this notice in which it is believed you have an interest is subject to the exercise of the compulsory powers provided for in the draft Order as described above.

The application is to be made subject to an environmental impact assessment.

The application contains a statement that a direction for deemed planning permission is being applied for.

A copy of the application, and of all plans and other documents submitted with it, may be viewed and downloaded from Network Rail's website at <https://www.networkrail.co.uk/TranspennineEngagement> from 31 March 2021. Copies of the documents may also be obtained from Penny Carter, Network Rail Infrastructure Limited, 3rd Floor, Square One, 4 Travis Street, Manchester M1 2NY (email: Penny.Carter@networkrail.co.uk). A reasonable copying charge may apply up to a maximum of £500 for the full suite of documents. Copies of individual documents are also available on request.

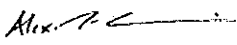
Further information about the proposals can also be obtained by telephoning Network Rail's national helpline on 03457 11 41 41.

Any objections to, or other representations about, the proposals in the application should be sent to the Secretary of State for Transport c/o Transport Infrastructure Planning Unit, Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR (e-mail: [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)).

An objection or other representation MUST (i) be received by the Secretary of State on or before 17 May 2021, (ii) be made in writing (whether sent by post or e-mail), (iii) state the grounds of the objection or other representation, (iv) indicate who is making the objection or other representation, and (v) give an address to which correspondence relating to the objection or other representation may be sent. (If you are sending your objection or other representation by e-mail, please provide a postal address.)

Where an objection is made (and not withdrawn) by a person who is an owner, lessee, tenant or occupier of any land which is subject to compulsory purchase in the draft Order, and that person so requests in writing, the Secretary of State must hold a public local inquiry or otherwise give that person an opportunity to be heard. However, this rule will not apply where an objection appears to the Secretary of State to be frivolous or trivial, or to relate to matters which fall to be determined by a tribunal concerned with the assessment of compensation.

The Secretary of State may make complete copies of the objections and other representations public, including any personal information contained in them, and will copy them to the applicant for the order.

Signed: *Alex* 

On behalf of: Network Rail Infrastructure Limited

Date: 31 March 2021

Name and Status of Signatory: Alex Davies, Head of Consents & Environment

#### SCHEDULE

Description of land and/or buildings affected by the proposed compulsory powers

No. on attached plan	Extent and description of land
4-020	Private road and footway (Green Street, Huddersfield)
4-041	Footway and hardstanding (Green Street, Huddersfield)
4-046	Footway to the north east of Green Street, Huddersfield
4-049	Footway to the north of Green Street, Huddersfield



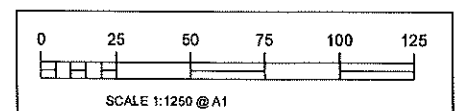
WORK NO. 1C (For section of Work No. 1C, see Sheet No. 28)

## KEY

- \_\_\_\_\_ CENTRE LINE OF WORK  
 ----- CENTRE LINE OF SUBSURFACE WORK  
 - - - - - LIMIT OF DEVIATION  
 - - - - - - - - - - LIMIT OF LAND TO BE ACQUIRED OR USED  
 - - - - - - - - - - PROTECTIVE WORKS LIMIT  
 \* - + - + - + - DISTRICT BOUNDARY  
 ○ COMMENCEMENT OF WORK  
 ● TERMINATION OF WORK  
 ⊙ COMMENCEMENT OF WORK AND TERMINATION OF WORK  
 A NEW / IMPROVED ACCESS  
 \_\_\_\_\_ EXISTING OR ALLEGED PUBLIC RIGHT OF WAY  
 ----- NEW RIGHT OF WAY TO BE PROVIDED  
 (EXCEPT WHERE PROVIDED OVER A SCHEDULED WORK)

Note: The area enclosed by any limit of deviation or by any limit of land to be acquired or used is the area extending to the outer edges of the line marking those limits.

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KINDER PROPERTIES LIMITED  
Oak Walk  
Le Mont Fallu  
St Peter  
Jersey  
E3 7EF

Network Rail  
6<sup>th</sup> floor  
111 Piccadilly  
Manchester  
M1 2HY

18 March 2021

Our ref: [151667-TSA-00-TRU-LTR-W-LP-000396](#)

**BY EMAIL ONLY TO FLETCHER KING**

Dear Chris,

**Re: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order “(the Scheme)”**

Further to our meeting just before lockdown in March 2020 and also our meeting of 19<sup>th</sup> February this year relating to the above Scheme. As we discussed Network Rail intends to submit a Transport and Works Act Order (“the Order”) application to the Secretary of State for Transport for the Order (DFT) in Quarter 1 2021. The proposed Order will seek to give Network Rail the relevant statutory powers required by Network Rail to authorise the construction and operation of the Scheme, to include powers of compulsory acquisition.

The Scheme forms part of the wider Transpennine Route Upgrade programme of works which Network Rail is delivering to include benefits for passengers using the Transpennine railway and to do this, the current layout of the railway has to be upgraded. The tracks will be doubled from two to four along most of the railway and stations will be upgraded to modern standards and will provide better accessibility facilities for passengers.

We have not discussed the proposed scheme with any of your tenants at the retail park but we are of course willing to undertake those discussions if any questions arise with you directly following the Order application.

As we discussed during our meeting there are a few elements of proposed works which we believe may have an impact on the impact

- 1) Air rights for overhanging Overhead Electrification Equipment off the viaduct.
- 2) Temporary possession requirement for the retail car park to undertake renewal works to John William Street bridge
- 3) Potential crane oversail of buildings (Dominos)

- 4) Temporary alteration to the local highway network during the temporary possession requirement that may necessitate the current suspension of the one way system from and to John Street into the retail park to be replaced by an “in/out” traffic management system (on a temporary basis).

Should the Scheme be approved by the Secretary of State it is anticipated that works will commence on site during 2023/24 but these dates are very much provisional and will subject to confirmation of the programme.

For ease of reference I have enclosed a plan showing the approximate area of land that will be included in the Transport & Works Order application.

**Coloured blue** Working site and access for construction and temporary protective works to Buildings

**Coloured red** Working site for access and construction

**Coloured yellow** Provision of maintenance access for the authorised works and attachment and maintenance of electrical equipment to the railway viaduct

We will obviously continue discussions with both yourselves and the tenants as the design for the scheme develops and the construction methodology becomes more certain. The rights included within the Order application for protective works whilst not anticipated are there for both the protection of your tenants and for the scheme. At the present time we would anticipate that the changes required to the highway access from John Street and occupation of the car park will be required for approximately 30 days but this will be also subject to confirmation of the programme. There will be a requirement to occupy the land adjacent to the viaduct for a longer period of time as we discussed but once the details of construction phasing are known we will share this with you also.

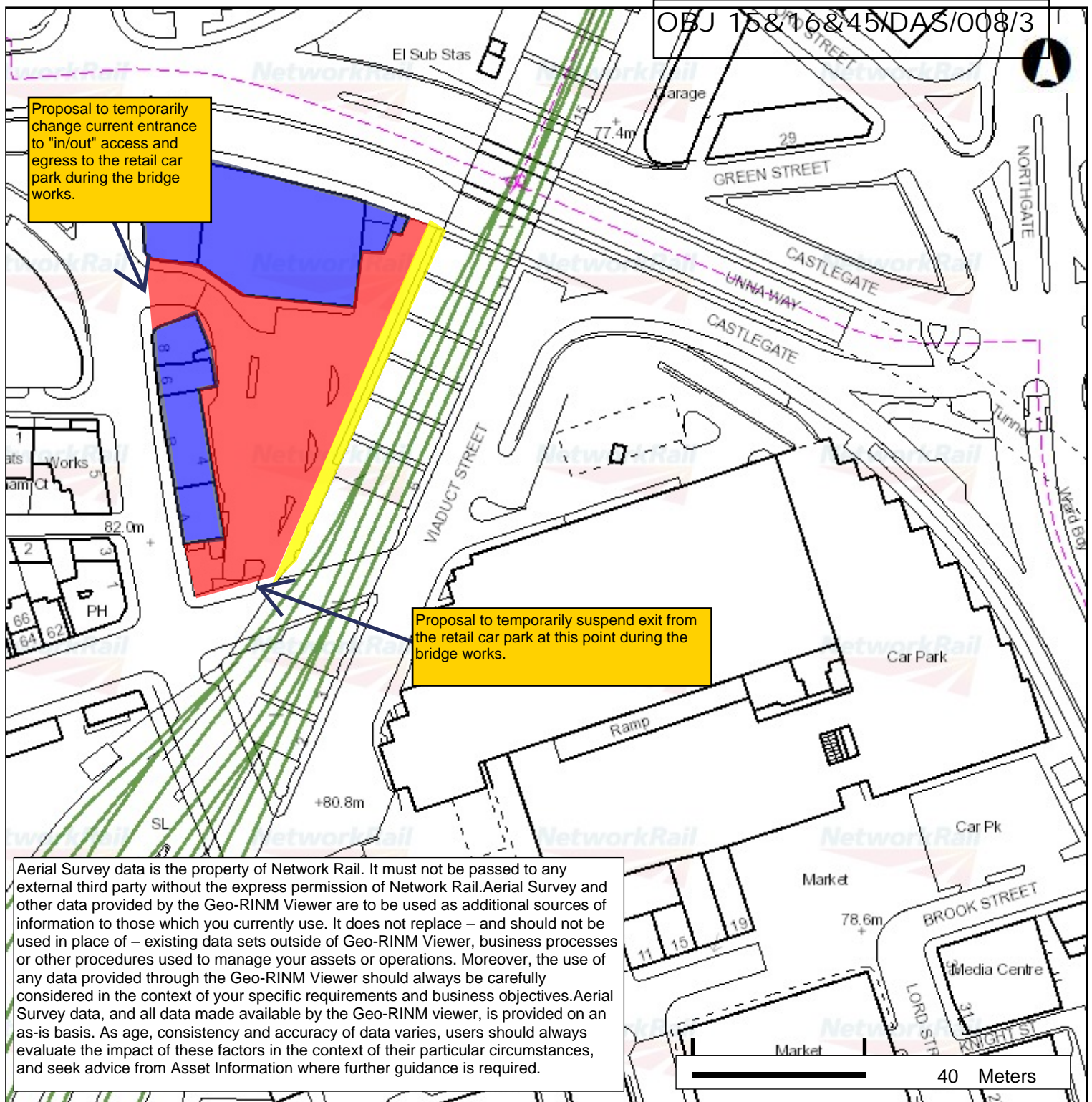
You will receive some further notifications as freehold owner of the site when the Order application is made to the DFT as will the individual tenants/occupiers of the retail units. If you have questions in relation to those then please do contact me directly. As per our discussion I have asked that these are sent to you electronically also.

Thank you again for your co-operation to date and will look forward to speaking soon.

Yours sincerely

**Damian Arundale MRICS**  
Senior Surveyor  
**Network Rail**

[damian.arundale@networkrail.co.uk](mailto:damian.arundale@networkrail.co.uk)



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Please note that this map is not suitable for legally binding documents. If you require a map for a legally binding document, please contact the land information team: [landinformation@networkrail.co.uk](mailto:landinformation@networkrail.co.uk)



|            |                |
|------------|----------------|
| Scale      | 1 : 1,250      |
| Plot Date  | 16/03/21 15:48 |
| Printed By |                |

**David Trafford**

**From:** Penny Carter <Penny.Carter@networkrail.co.uk>  
**Sent:** 08 June 2021 21:07  
**To:** David Trafford  
**Cc:** Damian Arundale; Josh Wilson; Chris Bradshaw  
**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

OFFICIAL

David

Thanks for your email. We do have a copy of your letter of objection, but listing the critical issues is helpful to us.

Regards

Penny

---

**From:** David Trafford <David.Trafford@gateleyhamer.com>  
**Sent:** 08 June 2021 19:30  
**To:** Penny Carter <Penny.Carter@networkrail.co.uk>  
**Cc:** Damian Arundale <Damian.Arundale@networkrail.co.uk>; Josh Wilson <jw@fletcherking.co.uk>; Chris Bradshaw <cb@fletcherking.co.uk>  
**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

Hi Penny,

Josh Wilson and Chris Bradshaw from Fletcher King will be attending on behalf of Kinder Properties Limited – they have the management mandate for Kinder's retail portfolio.

I assume you have a copy of our letter of objection, in the event that you do not, I have attached a copy for your information.

The critical issues for us are:

1. How much of the car park is Network Rail looking to occupy, from when, for what purpose(s) and for how long?
2. Assurance that entry and exit from the Castlegate car park using only the St John's Road entrance can be achieved safely in both directions for servicing vehicles as well as customer vehicles – confirmation from Kirklees highways department will be helpful to ensure what Network Rail are proposing, can actually be achieved in practice.
3. A need to manage any adverse impact the scheme may have on Castlegate trade, particularly if we are in a post Covid economic recovery period.
4. The potential impact of the temporary Network Rail occupation and works on letting vacant units.

It will be helpful if we can address the above matters when we meet.

Kind regards,

David



**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer

OBJ 15&16&45/DAS/009/2

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---

**From:** Penny Carter <[Penny.Carter@networkrail.co.uk](mailto:Penny.Carter@networkrail.co.uk)>  
**Sent:** 08 June 2021 12:15  
**To:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Cc:** Damian Arundale <[Damian.Arundale@networkrail.co.uk](mailto:Damian.Arundale@networkrail.co.uk)>  
**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

OFFICIAL

Hi David

I've sent a meeting invite for 16 June at 3pm. Please can you forward the invite on to those who you wish to attend.

Thanks.

Penny

---

**From:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Sent:** 08 June 2021 09:47  
**To:** Penny Carter <[Penny.Carter@networkrail.co.uk](mailto:Penny.Carter@networkrail.co.uk)>  
**Cc:** Damian Arundale <[Damian.Arundale@networkrail.co.uk](mailto:Damian.Arundale@networkrail.co.uk)>  
**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

Hi Penny,

Does anytime after 3pm on 15<sup>th</sup> or 16<sup>th</sup> of this month work for you?

Thanks,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer  
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**From:** Penny Carter <[Penny.Carter@networkrail.co.uk](mailto:Penny.Carter@networkrail.co.uk)>

**Sent:** 07 June 2021 13:52

**To:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>

**Cc:** Damian Arundale <[Damian.Arundale@networkrail.co.uk](mailto:Damian.Arundale@networkrail.co.uk)>

**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

OFFICIAL

Hi David

Following on from Damian's email below, if you could send me dates and times of when you and your client are available, I'll check with colleagues from the project team and we'll get a meeting set up.

Thanks.

Penny

---

**From:** Damian Arundale <[Damian.Arundale@networkrail.co.uk](mailto:Damian.Arundale@networkrail.co.uk)>

**Sent:** 07 June 2021 12:04

**To:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>

**Cc:** Penny Carter <[Penny.Carter@networkrail.co.uk](mailto:Penny.Carter@networkrail.co.uk)>

**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

OFFICIAL

Hi David, thanks for the email below, hope all is well? I'm just back from leave today but to confirm the project would certainly welcome a discussion on this. When I discussed with your clients last year and back in March this year we agreed we would keep a dialogue open due the nature of the works at this location.

I have copied this email to Penny Carter also who is managing the response to the application and we can hopefully get a meeting that suits all. Due to the locations of everyone if we could arrange over Teams.

If you could confirm attendees with some availability/times over the next couple of weeks that would be appreciated.

Thanks



**Damian Arundale MRICS**

Senior Surveyor

Network Rail Property (Eastern Region)

George Stephenson House, Toft Green, York, YO1 6JT

07734 133036

**From:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Sent:** 04 June 2021 17:00  
**To:** Damian Arundale <[Damian.Arundale@networkrail.co.uk](mailto:Damian.Arundale@networkrail.co.uk)>  
**Subject:** The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order - Our Client: Kinder Properties Limited [GATELEY-GHAM.FID53074]

Damian,

As you may be aware we have lodged an objection to the Huddersfield to Dewsbury TWAO on behalf of Kinder Properties Limited.

Our concerns are entirely related to a lack of knowledge and detail as to the duration, nature and extent of NR's occupation of Kinder's property and agreeing mitigations to limit any impacts. As such It should be possible for the issues giving rise to our objections to be resolved prior to the inquiry, which will enable us to withdraw the objections.

Are you looking to start discussions please?

Kind regards,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer

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**David Strafford**

**From:** Penny Carter <Penny.Carter@networkrail.co.uk>  
**Sent:** 18 June 2021 14:45  
**To:** David Strafford  
**Subject:** RE: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]  
**Attachments:** TRU-R15-20210331-360639 (2).pdf

OFFICIAL

David

Please find attached the Rule 15 notices which were served on The Secretary Kinder Properties Limited c/o Walker Morris LLP (Leeds) on 31 March 2021 by WSP. I can confirm that the Rules 15 notices were delivered by Royal Mail 1<sup>st</sup> class post.

Penny

---

**From:** David Strafford <David.Strafford@gateleyhamer.com>  
**Sent:** 16 June 2021 18:47  
**To:** Penny Carter <Penny.Carter@networkrail.co.uk>  
**Subject:** FW: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

Penny,

As requested I attach a copy of the Rule 15 notice that was received by Walker Morris on behalf of Kinder properties.

For completeness, I am also forwarding you below the email I sent querying whether any other notices had been received. As far as we are aware the attached is the only notice that was received by Kinder.

You will appreciate that I am somewhat removed from the initial point of notice delivery, but I will be happy to enquire of my client again if you can provide me with a copy of the second notice that you think has been served. Have you managed to ascertain whether the notices were served recorded/registered?

I look forward to hearing from you.

Kind regards,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
 for Gateley Hamer

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 ext: 6626  
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**From:** Josh Wilson <[jw@fletcherking.co.uk](mailto:jw@fletcherking.co.uk)>  
**Sent:** 11 May 2021 16:33  
**To:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Subject:** RE: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

Hi David

Good to speak earlier

Noted that the order received only contains 4 affected plots. I have queried this with our solicitors who confirm that they do not have anything else to send and nothing further has been received on behalf of Kinder.

Will wait to hear back

Kind Regards  
Josh

Josh Wilson  
Fletcher King  
61 Conduit Street London W1S 2GB  
Tel: 020 4526 6854  
Email: [jw@fletcherking.co.uk](mailto:jw@fletcherking.co.uk)  
[www.fletcherking.co.uk](http://www.fletcherking.co.uk)



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---

**From:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Sent:** 11 May 2021 11:26  
**To:** Josh Wilson <[jw@fletcherking.co.uk](mailto:jw@fletcherking.co.uk)>  
**Subject:** Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

Good morning Josh,

Further to our recent telephone conversation I am dropping you a line as discussed re the attached Rule 15 notice. I have been through the TWA Order Book of Reference, and the Schedule includes 15 plots owned by Kinder and one unregistered plot that Kinder is in occupation of. The affected plots as per the Order are as follows:

4-004  
4-005  
4-007  
4-008  
4-009  
4-010  
4-017  
4-019  
4-020  
4-025  
4-026



4-033  
4-039  
4-041  
4-046  
4-049

OBJ 15&16&45/DAS/0010/3

You will note the attached Notice only extends to plots 4-020, 4-041, 4-046 and 4-049. Can you kindly check to see if the attached notice is complete, or whether another notice has been received by Kinder/Walker Morris pursuant to the Order.

I have attached an extract of the Book of Reference plan on which I have highlighted in pink the plots which have been made subject to the notice. You will see that accords broadly with the yellow strip on the plan sent by Damian Arundale of NR to Kinder's registered office on 18 March.

Many thanks,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
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**David Strafford**

**From:** David Strafford  
**Sent:** 13 July 2021 12:32  
**To:** Penny Carter  
**Cc:** Josh Wilson; Chris Bradshaw; James Dewey  
**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order: Unit A St John's Road Huddersfield HD1 5AT, Castlegate Retail Park, [GATELEY-GHAM.FID53950]

Hi Penny,

We seem to have a bit of an issue with the notices again. DP Realty are the franchiser of Unit A, R&D Yorkshire Limited have an underlease from DP Realty as well as being their franchisee. We are in the course of being instructed, but I am informed by R&D's management surveyor that they did not receive a Rule 15 Notice, and were unaware of the scheme until they found out from DP Realty.

I am still finding out what is going on, but given the circumstances can you please provide me with a copy of the notices that were served on all of the occupiers at the Castlegate Retail Park, along with a certificate of posting please?

I am seeking instructions from Kinder, but I anticipate that they will to be assured that all of their tenants were notified of the scheme, and that I will be asked to make contact with them to make sure that is the case.

Have any of the other tenants at the Castlegate complex objected to the scheme and/or have you been contacted by any agents representing them?

Regards,

David

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**Senior Associate**  
for Gateley Hamer

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**From:** Penny Carter <Penny.Carter@networkrail.co.uk>  
**Sent:** 13 July 2021 11:51  
**To:** David Strafford <David.Strafford@gateleyhamer.com>  
**Subject:** RE: The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order: Unit A St John's Road Huddersfield HD1 5AT, Castlegate Retail Park, [GATELEY-GHAM.FID53950]

OFFICIAL

David

Thanks for your email. I will respond as soon as I have the information today.

Penny

OBJ 15&16&45/DAS/011/2

**From:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>

**Sent:** 09 July 2021 15:02

**To:** Penny Carter <[Penny.Carter@networkrail.co.uk](mailto:Penny.Carter@networkrail.co.uk)>

**Subject:** The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order: Unit A St John's Road Huddersfield HD1 5AT, Castlegate Retail Park, [GATELEY-GHAM.FID53950]

Penny,

Please confirm what notices have been served in relation to Unit A at the Castlegate retail complex.

Kind regards,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer

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**David Trafford**

---

**From:** David Trafford  
**Sent:** 18 June 2021 19:15  
**To:** Josh Wilson  
**Cc:** Chris Bradshaw; James Dewey  
**Subject:** Kinder Properties Limited and the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order [GATELEY-GHAM.FID53074]  
**Attachments:** RE: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

Hi Josh,

I hope all is well with you. I was expecting you and Chris to be attending the meeting this week with Network Rail to discuss the objection we have lodged on the Huddersfield scheme. There may have been a mix-up with calendars, in any event it wasn't a problem and I managed to field things okay on my lonesome.

Unfortunately, Network Rail were not able to provide me with sufficient information, detail and confidence that would enable me to recommend the withdrawal of our objection to the Order.

Specifically:

- Network Rail were unable to provide me with a proposed programme of works or plans showing the extent of the car park to be occupied. All they could say was that the intended works had been consolidated and were to be completed by the end of April 2024 with an anticipated duration of one month.
- Network Rail were unable to confirm that their proposal for the St Johns Road entrance to be used for both entry and exit to the Castlegate retail carpark was acceptable to Kirklees council highways. It would appear that no discussions have yet been had with the council, and therefore we cannot be certain that their proposal will be acceptable to the highway authority and/or provide a satisfactory level of access and egress to the carpark to satisfy tenant, customer and servicing requirements. They have agreed to speak to the highways authority as a matter of urgency.
- Network Rail have stated that two separate notices were served on Kinder c/o Walker Morris. I have informed them that to the best of our knowledge only one notice has been received.

I was requested to provide a copy of the notice that was received which I have subsequently done, and provided them with a copy of our exchange of emails regarding the notice.

I have attached a copy of the email that I have subsequently received from Penny Carter at NR with a copy of the two notices that were allegedly served on the same date, 31 March 2021. Given the circumstances can you kindly enquire again of Walker Morris to determine whether they have any record of a second notice having been received. Do they operate an external mail logging/recording system? It is most unfortunate that the letters were not sent recorded or registered, which is the normal practice for statutory notices.

I had hoped that NR would have been able to provide us with more and better information and that we could have withdrawn the objection negating our need to appear at the inquiry. Regrettably, at the moment that is not the case, and my recommendation must be that you maintain the objection. Under the TWAO regulations we are required to have submitted a 'statement of case' to both the Department for Transport and NR by no later than 6 July 2021. Whilst I remain hopeful that some progress will be made by NR in providing the information that we require, I have to say that time is tight and in order to meet the deadline, consideration must be given to our progressing the statement of reasons in early course.

As you are aware we gave an indicative budget of £3,000 to cover the immediate work required to protect Kinder's position. Unfortunately due to the lack of detail and information provided by NR, the deficiency in their notices and the amount of research and investigations required to get an understanding for the works being proposed that budget sum has been exceeded. I currently have around £8,000 recorded against the matter.

There is only limited scope to recover costs at inquiry. However the Minister has discretionary powers to make an order for costs upon a prior application by a party, essentially on the basis of (a) unreasonable behaviour and/or (b) where a statutory objector successfully opposes the compulsory acquisition of his or her rights in whole or in part. As matters presently stand I feel we are on safe ground on both these points. Although clearly the powers are discretionary, and depend on the view of the Inspector at inquiry.

In the event that NR is able to provide the information that we require to withdraw the objection prior to inquiry then we will, as a matter of course, require a cost undertaking from then as a condition to our withdrawing the objection.

In the light of the above, I would like to seek your approval to our proceeding to draft the statement of case and would like to submit an invoice to Kinder for £3,000.00 plus disbursements incurred to date on account of the work already undertaken, which accords with our initial budget estimate. This will enable us to continue to engage with NR and seek a satisfactory outcome including recovery of Kinder's costs incurred.

I trust the above is clear and look forward to hearing from you.

Kind regards,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer

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**David Strafford**

---

**From:** David Strafford  
**Sent:** 24 June 2021 17:06  
**To:** Penny Carter  
**Cc:** Damian Arundale  
**Subject:** RE: OBJ 15 Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53950]

Penny,

Thank you for the update.

I have to say things are looking rather messy at the moment.

My client has no record of the second notice having been received. It is fortuitous that my client provided me with the letter sent by Damian Arundale to their registered office on 18 March 2021, as in the absence of that letter I would not have investigated the mismatch of the proposals set out therein with the notice that had been received.

Please send me a plan showing the area(s) within the car park that you are intending to occupy along with a schedule setting out the current anticipated works programme. If the area to be occupied will change during the course of your scheme please provide phase plans with the relevant details.

We remain concerned at the potential impact of your proposed carpark entrance and exit proposals. We cannot be certain that your proposals will be acceptable to Kirklees highway authority and/or provide a satisfactory level of access and egress to the carpark to satisfy tenant, customer and servicing requirements. I note that you are meeting with Kirklees highways on 1<sup>st</sup> July to discuss the proposals, but that is uncomfortably close to the deadline for the DfT to receive our statement of case.

I had hoped that you would have been able to provide us with more and better information to enable us to withdraw the objection. Regrettably, at the moment that is not the case. The deadline for our submitting a 'statement of case' to the Department for Transport and Network Rail is 6th July 2021. Whilst we remain hopeful that you will be able to make progress and provide the information and comfort that we require to withdraw our objection, in order to meet the 6<sup>th</sup> July deadline I will be preparing the statement of case on behalf of my client next week.

Please note that our fee in this matter for the work undertaken to date is around £8,000.00. Whilst there is only limited scope to recover costs of a statutory objector at inquiry, we feel the circumstances in this particular case warrant the discretionary power being exercised. Accordingly we will be making a prior application for costs if the objection remains to be dealt with at the inquiry.

Please keep me informed of developments.

Kind regards,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer

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ext: 6626  
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---

**From:** Penny Carter <Penny.Carter@networkrail.co.uk>

**Sent:** 21 June 2021 14:34

**To:** David Strafford <David.Strafford@gateleyhamer.com>

**Cc:** Leon.Garrett <Leon.Garrett@bamnuttall.co.uk>; David McCann <David.McCann@arup.com>; Dean, Sam <sam.dean@wsp.com>; Damian Arundale <Damian.Arundale@networkrail.co.uk>; TRU Stakeholder Management Inbox <TRUshared@atkinsglobal.com>

**Subject:** OBJ 15 RE: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

OFFICIAL

David

I just wanted to update you following our meeting last week. We are meeting with Kirklees Council's highway officers on 1 July and will be discussing the proposals regarding the temporary traffic measures around your client's property. Once we have had that meeting, we will update you on the outcome.

Penny

---

**From:** Penny Carter

**Sent:** 18 June 2021 14:45

**To:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>

**Subject:** RE: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

OFFICIAL

David

Please find attached the Rule 15 notices which were served on The Secretary Kinder Properties Limited c/o Walker Morris LLP (Leeds) on 31 March 2021 by WSP. I can confirm that the Rules 15 notices were delivered by Royal Mail 1<sup>st</sup> class post.

Penny

---

**From:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>

**Sent:** 16 June 2021 18:47

**To:** Penny Carter <[Penny.Carter@networkrail.co.uk](mailto:Penny.Carter@networkrail.co.uk)>

**Subject:** FW: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

Penny,

As requested I attach a copy of the Rule 15 notice that was received by Walker Morris on behalf of Kinder properties.

For completeness, I am also forwarding you below the email I sent querying whether any other notices had been received. As far as we are aware the attached is the only notice that was received by Kinder.

You will appreciate that I am somewhat removed from the initial point of notice delivery, but I will be happy to enquire of my client again if you can provide me with a copy of the second notice that you think has been served. Have you managed to ascertain whether the notices were served recorded/registered?

I look forward to hearing from you.

Kind regards,

David

OBJ 15&16&45/DAS/013/3

**David Strafford BSc FRICS**  
**Senior Associate**  
for Gateley Hamer

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**From:** Josh Wilson <[jw@fletcherking.co.uk](mailto:jw@fletcherking.co.uk)>  
**Sent:** 11 May 2021 16:33  
**To:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Subject:** RE: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM.FID53074]

Hi David

Good to speak earlier

Noted that the order received only contains 4 affected plots. I have queried this with our solicitors who confirm that they do not have anything else to send and nothing further has been received on behalf of Kinder.

Will wait to hear back

Kind Regards  
Josh

Josh Wilson  
Fletcher King  
61 Conduit Street London W1S 2GB  
Tel: 020 4526 6854  
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**From:** David Strafford <[David.Strafford@gateleyhamer.com](mailto:David.Strafford@gateleyhamer.com)>  
**Sent:** 11 May 2021 11:26

To: Josh Wilson <[jw@fletcherking.co.uk](mailto:jw@fletcherking.co.uk)>

Subject: Castlegate Retail, Huddersfield - Network Rail [GATELEY-GHAM: FID53074]

OBJ 15&16&45/DAS/013/4

Good morning Josh,

Further to our recent telephone conversation I am dropping you a line as discussed re the attached Rule 15 notice. I have been through the TWA Order Book of Reference, and the Schedule includes 15 plots owned by Kinder and one unregistered plot that Kinder is in occupation of. The affected plots as per the Order are as follows:

4-004  
4-005  
4-007  
4-008  
4-009  
4-010  
4-017  
4-019  
4-020  
4-025  
4-026  
4-033  
4-039  
4-041  
4-046  
4-049

You will note the attached Notice only extends to plots 4-020, 4-041, 4-046 and 4-049. Can you kindly check to see if the attached notice is complete, or whether another notice has been received by Kinder/Walker Morris pursuant to the Order.

I have attached an extract of the Book of Reference plan on which I have highlighted in pink the plots which have been made subject to the notice. You will see that accords broadly with the yellow strip on the plan sent by Damian Arundale of NR to Kinder's registered office on 18 March.

Many thanks,

David

**David Strafford BSc FRICS**  
**Senior Associate**  
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