

**From:** [Sally Hansell](#)  
**To:** [TRANSPORTINFRASTRUCTURE](#); [penny.carter](#) [REDACTED]  
**Subject:** Network Rail (Leeds to Micklefield Enhancements) Order  
**Date:** 02 February 2024 09:43:26

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To:

Secretary of State for Transport  
Penny Carter (Network Rail)

Following receipt of the letter from Dentons Legal Practice in relation to 'The Network Rail (Leeds to Micklefield Enhancements) Order' we wish to have our views represented, as you proceed with the proposed amendments.

We understand the requirements to upgrade the line and do not object to this itself. Our concerns have, and remain, with the proposals from Leeds City Council to create a new entrance to the local allotment due to the crossing over the train track being closed permanently. Please refer to Leeds City Council planning application reference: **22/03144/FU**

The allotment users historically used the train track crossing to access the site and since it was 'temporarily' shut have been accessing the allotments via a make shift path down the side of a field. To access the field they need to drive along a section of private road which is maintained by a few residents, ourselves included, as this is the **only** access to our homes.

For almost 2 years Leeds City Council have been using their weight to consistently push for the 'new' allotment entrance to be made official and permanent. Residents have repeatedly raised concerns with the access rights as we know the damage that has been created on the private road over the years since they began using it as a temporary measure. Leeds City Council have made no attempt to resolve the issue - either by supporting us with maintaining the section of private road used by the allotment holders or by speaking to us as residents to come to an agreement.

From experience with the Council I imagine that this email will hold little interest to the Department for Transport - a huge issue for us (cost, time, physical energy as we maintain the track, filling the pot holes by hand, etc etc) is likely to be overlooked as a 'simple' solution is sought to end the issue of closing the crossing. We ask that you take some time to consider the impact this has on us. We have no desire to prevent the train track being enhanced, we have no wish for the crossing to remain open or for the allotment users to struggle to access the site. All we wish is for there to be some acknowledgement that we cannot and should not have to maintain the sections of private road that are increasingly damaged due to cars accessing the allotment track.

We add below (in blue) our original objection comment from when the initial 'retrospective' planning application (reference: **22/03144/FU**) was put in by Leeds City Council in May 2022.

Sally and Russell Hansell  
[REDACTED]

We have read with interest the objection and support comments in reference to the planning application to make a permanent access route to the allotments. Within the body of these comments the history of the allotments and it's access has been covered, and there are many valid points which we feel have been adequately addressed, however we would like to raise the following points below (please note - for ease of understanding we use the term 'track' to refer to the section that runs down to the allotment for which

planning permission is being sought; we use the term 'private road' to refer to the stretch which runs off Barwick Rd and is the only way to access the allotment 'track' by car, as well as providing the only access to the seven houses in the immediate vicinity).

The track, including the end turning circle which borders the end of our property, was only 'temporary' with Network Rail advising that they were to seek an alternative permanent access following their decision to close the railway crossing. In hindsight it appears that Network Rail had no intention of this being as 'temporary' as they had indicated, leaving a metal surface down for a number of years before returning and attempting to turn this space into the permanent entrance before work was stopped. With the amount of time that passed while the metal surface was down it has allowed the allotment users to benefit from closer access with their cars and to enjoy the flexibility this has provided. It is quite understandable that, having become used to this access, there would be concern from them that this could now be removed. Network Rail have effectively created an 'us and them' scenario, between residents who live off (and maintain) the private road and those who wish to access the track to get to their allotment. Network Rail have now quietly retreated and they have no interest in finding a more appropriate solution for all parties involved.

We feel it is important to stress that we enjoy the relationship that we have with the allotment users - they have not caused any issue for us as home owners in respect to working within their allotments and we sincerely hope that the issue with their access to the allotments can be resolved in a timely manner so that they can continue to enjoy the area and we have absolutely no wish to make their experience of the allotments difficult or less enjoyable. However it is clear from some of the comments that we must emphasise how difficult it is as residents to manage the upkeep of the private road and for us this is where the issue lies.

To put this in some perspective - it is a long private road and we pay significant amounts of money to keep the potholes to a minimum. This includes hiring machinery to flatten and fill the private road at a significant cost to ourselves, as well as paying for scalings to be delivered which we then shovel and wheelbarrow to each newly forming pot hole to fill. From experience we can tell you this is incredibly heavy manual work, which takes a lot of our time and a significant amount of physical effort - and on a regular basis. This is compounded with being faced by rude and arrogant car users who choose to use the private road to park up and walk their dogs and become confrontational when they are kindly asked to refrain from parking there. It is with this backdrop that it has become even harder on us as residents to continue to maintain the private road since the 'temporary' track first appeared and the frustration we feel at both the significant wear and tear in the first section up to and including the entrance way to the allotment track, as well as an increase in cars parking on the side of the private road while the allotments are accessed (either as visitors to the allotment who do not have a code for the gate or currently whilst they have been asked not to use the temporary track now that the metal surface has been removed). Parking on the edge of the private road once again encourages dog walkers to do the same as they see cars there and assume it is ok. Once again we find ourselves now regularly having to speak to (predominantly) dog walkers and asking them to remove their cars, only to receive negative and abusive comments in return.

This is an important point for us to raise as this is part of a wider concern, created by a knock on effect which is not necessarily understood by those who do not live here. We understand that the allotment users would be under no obligation to personally come and support us in maintaining the track, neither could any agreement be upheld, and therefore Network Rail need to look again, with Leeds City Council, at the appropriate options that are open to the allotment users in order for them to continue to have suitable and necessary access.

We note that on a number of the support comments there is reference to the well-being of the allotment users and the benefits of access to an outdoor space. With this we strongly agree, but feel it is necessary to highlight that our objection is in relation to the upkeep of the private road that we, as residents, maintain and which continues to be accessed by anyone who drives their car along the allotment track.

Finally, we have noted that a letter of support from the local ward councillors suggests that 'all parties' have been consulted in order for them to create an informed decision of support, which may hold some weight

considering their role within the community. As users of the entire private road (and therefore being in a position to know each section of the private road, how quickly it becomes pot-holed and how often certain stretches - especially outside the allotment gates - become damaged) we would have welcomed an opportunity to express our opinions, as would our neighbours, however this has not been sought either verbally or in writing by the councillors. We are unsure how their judgement has been reached when there has been no attempt to understand the difficulties that we face on a weekly, if not daily, basis.

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