

The Network Rail (Leeds to Micklefield Enhancements) Order

CD 8.01 – Rebuttal Proof of Evidence of Paul Harrison

**TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURES)
RULES 2004
NETWORK RAIL (LEEDS TO MICKLEFIELD
ENHANCEMENTS) ORDER**

**REBUTTAL PROOF OF EVIDENCE
OF
PAUL HARRISON**

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Author	Paul Harrison
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1 Introduction

1.1 This rebuttal evidence has been prepared to address:

- the additional Objection (**CD 7.41**) raised on behalf Makins Enterprise Ltd and Christopher Makin; and
- the objection to the open space certificate application relating to land at Austhorpe Lane by P Freeman.

1.2 It is not intended that this rebuttal proof should address further points that I or other witnesses for Network Rail have previously covered in their evidence; however, cross references to relevant paragraphs of those witnesses' proofs of evidence are made where appropriate.

1.3 This rebuttal proof sets out the additional points raised by Makins Enterprise Ltd and Christopher Makin in the evidence identified above. For each of these sections, the point is summarised in plain font, with any quotations shown in italics. This is followed by my response.

2 Additional Objection (CD 7.41)

2.1 ***We do not believe that Network Rail have considered any reasonable alternatives to the siting of the working site on my clients land at 11-005A.***

2.1.1 The current gas main is to the West of Ridge Road. Northern Gas Networks (NGN) is the organisation responsible for the planning and delivery of the gas main diversion works. NGN has confirmed that, due to the route of the existing gas main, there is no other feasible alternative option but to divert the gas main via an underground route, on a similar alignment to the existing main, underneath the railway.

2.1.2 Access is required for the new vertical shafts, required to connect to the bored gas main tunnel, on the North and South of the railway with the main works for the diversion taking place on the North side. This being the case, access and working compounds are required to the North and South of the railway with no other feasible options.

2.2 ***Under Article 28 (1) (d) of Part 4 of the Draft Order, it states that Network Rail would be able to “temporarily occupy and use airspace for the purposes of the operation of a crane in connection with the construction of the authorised works”. My client is very concerned with this proposal given the land immediately adjacent to 11-005 and 11-005A is an air strip that is in frequent use and hence this could pose a safety risk to planes landing.***

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2.2.1 The position of the crane associated with Ridge Road Bridge reconstruction will be on the northeast side of the Bridge (i.e. within plot 11-003 and 11-004). A mobile crane will be required for 29 hours to lift the new structure into place. Mr Makin will be notified in advance of when this 29- hour period will take place.

2.3 ***The proposed new gas main will go under the main entrance into Sturton Grange which is used 24 hours a day by HGV vehicles. We require confirmation from Network Rail that the proposed work to install a new gas main under it, will not cause any disruption or restrictions on traffic running above the new gas main.***

2.3.1 Network Rail anticipates that the works can be undertaken without restricting access to Berry Lane whilst coring under the access road. If there is a need to restrict traffic, then Network Rail will endeavour to maintain the access as much as practicable and will work with NGN in that regard.

2.4 ***No discussions have been held with my client regarding specifying a proposed start date or specifying the total period of time for which the temporary possession is required.***

2.4.1 Temporary possession of the land will be required for approximately 18 months, due to commence February 2025, subject to appropriate authorisations.

2.4.2 Conditions proposed to be attached to the direction for deemed planning permission, include a condition (draft condition 6) which requires the approval by Leeds City Council of an external communications programme. This communications programme requires regular communication with local residents and as part of this programme, Mr Makin will be notified of the confirmed construction period and any changes to scheduled dates.

3 Open Space Objection: P freeman

3.1 ***Considering that Network Rail are planning a larger staging area for the construction of the new Thorpe Park railway station only ½ a mile from this site, perhaps they could consider using that area to stage for the widening of the railway bridge. This site is already allocated to my understanding and would reduce the environmental impact of the work undertaken.***

Further to the planned re-route of the gas pipeline, this should follow the public road, and not encroach onto private land as this could limit future development of the Elmet Greenway.

3.1.1 The land shown on Land and Works Plan Sheet 4 (**CD 1-09**) is required for the gas main diversion works (Scheduled Work No 2) as well as for the works to replace Austhorpe Lane Bridge (Scheduled Work No 1).

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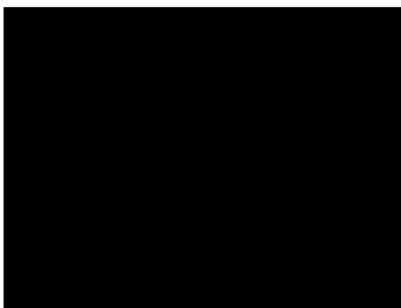
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- 3.1.2 The route of the gas main diversion at Austhorpe Lane will be from the northwest of Austhorpe Lane Bridge to the southeast of Austhorpe Lane Bridge, to avoid direct impact on the residential properties located to the northeast and southwest of the Bridge (see Land and Works Plan Order Sheet 4 **CD 1-09**). Therefore, the shaft required to build the gas main diversion on the south side of the railway will have to be located to the southeast of the Bridge in an area of woodland.
- 3.1.3 Northern Gas Networks (NGN) is the organisation responsible for the planning and delivery of the gas main diversion works. NGN will need to work in this area and have access to materials in this area in order to be able to carry out the works to divert the gas main. Further, in order to construct the new bridge, Network Rail requires a construction site adjacent to the bridge itself. Such construction work cannot be carried out in a location remote from the bridge because, as described in my Proof of Evidence (**CD 7.04**) at 3.5.1.17, a crane and other construction equipment have to be positioned next to the bridge in order to remove the existing highway bridge and footbridge and construct the new bridge, including lifting of the new bridge deck into place. Mr Pearson (**CD 7.11**), in his Proof of Evidence at 4.1.1 and at 8.5, explains that the Austhorpe Lane southeast compound is designed to minimise woodland loss as far as practicable.
- 3.1.4 The gas main diversion also cannot follow the public road. Firstly, building a gas main pipe into a new railway bridge does not comply with Network Rail health and safety policy. Secondly, incorporating a gas main pipe into the bridge would require a higher and wider bridge, which would affect private properties either side of the bridge.

4 WITNESS DECLARATION

4.1 Statement of declaration

- 4.1.1 This Rebuttal Proof of Evidence includes the facts which I regard as being relevant to the opinions which I have expressed, and the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- 4.1.2 I believe the facts which I have stated in this PoE are true and that the opinions expressed are correct, and,
- 4.1.3 I understand my duty to the Inquiry to help it with the matters within my expertise and I believe I have complied with that duty.



20/2/24