

**TRANSPORT AND WORKS ACT 1992: PROPOSED NETWORK RAIL  
(STALYBRIDGE TO DIGGLE (SADDLEWORTH) ENHANCEMENTS) ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990: REQUEST FOR DEEMED PLANNING  
PERMISSION**

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990:  
APPLICATIONS FOR LISTED BUILDING CONSENTS**

**TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004**

**STATEMENT OF MATTERS**

This Statement relates to the Public Inquiry to be held into the applications by Network Rail Infrastructure Limited (“NR”) for:

- i. the above proposed Order under the Transport and Works Act 1992 (“TWA”);
- ii. a direction as to deemed planning permission for the development for which provision is included in the TWA Order (“the Order”); and
- iii. the ten listed building consents required in consequence of the proposals in the TWA Order application.

The TWA Order application will be determined by the Secretary of State for Transport (“the Secretary of State”). This Statement sets out, under rule 7(6) of the Transport and Works (Inquiries Procedure) Rules 2004, the matters about which the Secretary of State wishes to be informed for the purposes of consideration of the application. The matters are as follows:

**In relation to the application for the TWA Order and deemed planning permission at (i) and (ii) above**

**These applications are to be determined by the Secretary of State for Transport**

1. The aims and objectives of, and the need for, the proposed Stalybridge to Diggle (Saddleworth) Enhancements works (“the Scheme”), including its effects on railway operations and whether all statutory procedural requirements have been complied with and sufficient information was available to parties about the Scheme.
2. The main alternative options considered by NR and the reasons for choosing the proposals set out in the Order.
3. The likely impact of the Scheme on landowners, local businesses and residents:
  - i. the effects of the Scheme on public rights of way including the proposed closure of Footpath 209 (Moorgate Halt Level Crossing), the suitability, safety and convenience of proposed alternative routes and whether appropriate mitigation has been considered, including the provision of a footbridge; and

- ii. the impacts of the Scheme on stations and station access arrangements, including at Greenfield and Mossley, having regard to highway safety, accessibility, parking, pedestrian movements and service provision.

and the impacts of the Scheme during construction, including:

- iii. the likely effects of the exercise of powers in the proposed Order on highways, access and traffic;
- iv. impacts on residential amenities, community facilities, local businesses and tourism;
- v. the use, siting and operation of construction compounds, including Brookfields and other green space locations, impact on future developments in this area; and
- vi. construction programming, phasing, timing, duration and sequencing, including interaction with local events and emergency access.

4. Whether the proposals comply with the Equality Act 2010 and the Public Sector Equality Duty, including impacts on accessibility and mobility for children, older people, disabled persons and other vulnerable users.

5. The effects of the Scheme on statutory undertakers, statutory utilities and other utility providers, and their ability to carry out their undertakings effectively, safely and in compliance with any statutory or contractual obligations and the protective provisions afforded to them.

6. The environmental effects of the Scheme, including impacts on:

- i. designated and non-designated green spaces;
- ii. trees, habitats and protected species;
- iii. flood risk, drainage, noise, vibration, air quality and landscape character; and
- iv. heritage assets, including historic routes and structures.

7. Having regard to the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the Ministry of Housing, Communities & Local Government 'Guidance on the Compulsory Purchase Process' published in October 2024 and updated in January 2025:

- i. Whether there is a compelling case in the public interest to justify conferring on NR powers to compulsorily acquire and use land for the purposes of the Scheme, including whether reasonable efforts have been made by the acquiring authority to negotiate the purchase of land by agreement.
- ii. Whether the purposes for which the compulsory purchase powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected (having regard to the Human Rights Act 1998).
- iii. Whether there are likely to be any impediments to NR implementing the Scheme, including the availability of funding.
- iv. Whether all the land and rights over land which NR has applied for are necessary to implement the scheme.

8. Any other matters which may be raised in the Inquiry which may be important and relevant to the Secretary of State's decision.

**In relation to the applications for listed building consent at (iii) above**

**These applications are to be determined by the Secretary of State for Ministry of Housing, Communities and Local Government**

Oldham Road Overbridge (MVL3/28)

Shaw Hall Bank Road Footway (MVL3/26)

Uppermill Viaduct (MVL3/31)

Wickens Underbridge (MVL3/29)

Royal George Underbridge (MVL3/25)

Wright's Mill Overbridge (MVL3/20)

Wright's Overbridge (MVL3/23)

Heyrod Hall Overbridge (MVL3/7)

Roughtown Road Overbridge (MVL3/17)

Springbank Lane Footbridge (MVL3/8)

9. If consent for the works is granted, the draft conditions submitted need to be assessed and agreed to ensure the works are carried out in a satisfactory manner. Any changes to conditions need to be clear and final conditions set out for the use in any decision.

**Notes**

It should be noted that whilst the above matters appear to the Secretaries of State, from the evidence so far available, to be the principal ones that need to be addressed, this statement does not preclude the Inquiry Inspector from hearing evidence on any other matters that he/she may consider relevant to the consideration of the applications. In addition, this statement does not pre-determine the order in which issues are to be addressed at the Inquiry, nor does the numbering imply any order of importance.

More details on the Public Inquiry process can be found here:

<https://www.gov.uk/government/publications/transport-and-works-act-orders-a-brief-guide-2006/transport-and-works-act-orders-a-brief-guide>

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