



**The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements)
Order – Statement of Common Ground – NR/SOCG/1**

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

**STATEMENT OF COMMON GROUND
*NETWORK RAIL INFRASTRUCTURE LIMITED & KIRKLEES
COUNCIL***

Document Reference	NR/SOCG/1
Date	October 2021

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

[this page is intentionally left blank]

CONTENTS

1. INTRODUCTION.....	1
2. STRUCTURE OF STATEMENT	3
3. PLANNING CONDITIONS	4
4. HERITAGE & HISTORIC ENVIRONMENT IMPACT	10
5. HIGHWAYS NETWORK MANAGEMENT & HIGHWAYS STRUCTURES	16
6. BIODIVERSITY & CLIMATE CHANGE	19
7. WASTE & RECYCLING.....	23
8. ENVIRONMENTAL SERVICES	24
9. MINERAL SITES.....	28
10. DEWSBURY RIVERSIDE HOUSING ALLOCATION	30
APPENDIX 1	33
APPENDIX 2	47
APPENDIX 3	69

1. INTRODUCTION

- 1.1 Network Rail Infrastructure Limited (“**Network Rail**”) made an application on 31st March 2021 for an order under the Transport and Works Act 1992 to authorise the construction, maintenance and operation by Network Rail of works on the Transpennine Line between Huddersfield and Westtown (Dewsbury) for the purposes of increasing capacity and improving journey time and performance reliability of rail services on the Transpennine Line both between Huddersfield and Westtown (Dewsbury) and Manchester, Leeds and York. The order applied for entitled The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order (“**the Order**”).
- 1.2 In connection with Network Rail’s application for the Order, a request has also been made by Network Rail to the Secretary of State for Transport under section 90(2A) of the Town and Country Planning Act 1990 that planning permission, so far as it is required, shall be deemed to be granted for the development proposed to be authorised by the Order (**NR12**). This request was accompanied by Network Rail’s proposed conditions to be attached to the direction for deemed planning permission (See Appendix 2 of **NR12**).
- 1.3 Listed building consents are also required for the purposes of the proposals included in Network Rail’s application for the Order. The following listed building consent applications are being made to Kirklees Council:-
- An application for listed building consent in respect of Huddersfield Station. The proposed works include the total demolition of roofs B & C; the demolition of two bays of roof A at the Manchester end of the station; new section of canopy on the Penistone line platform; the installation of two new bays on roof A at the Leeds end of the station, re-instatement of lantern to whole of roof A; platform alterations and extensions; new island platform; extension of existing passenger subway; in-filling of disused parcel subway; demolition of signal box, relay room and cable gantry between platforms 1 and 4; re-location of tea rooms; provision of new eastern footbridge and lifts/stairs and canopies; provision of overhead electric line equipment (**NR17**).
 - An application for listed building consent in respect of Huddersfield Viaduct (MVL3/92). The proposed works include the re-construction of Span 1 (MVL3/92(1) John William Street), strengthening works to the abutment of Span 4 (MVL3/92(3) Fitzwilliam Street), re-construction of part of Span 29 (MVL3/92(9) Bradford Road), provision of pattress plates and installation of overhead electric line equipment and a signal gantry (**NR18**).
 - An application for listed building consent in respect of Wheatley’s Colliery Overbridge (MVL3/103), Bradley. The proposed works comprise the demolition and replacement of Wheatley’s Colliery Overbridge (MVL3/103) (**NR19**).
 - An application for listed building consent in respect of Colne Bridge Road (B6118) Overbridge (MVL3/107), Bradley. The proposed works comprise the

demolition and replacement of Colne Bridge Road (B6118) overbridge (MVL3/107) (**NR20**).

- An application for listed building consent in respect of Mirfield Viaduct (MVN2/192), Mirfield. The proposed works comprise the erection of overhead electric line equipment on Mirfield Viaduct (MVN2/192) (**NR21**).
- An application for listed building consent in respect of Wheatley's Viaduct (MVN2/196), Mirfield. The proposed works comprise the erection of overhead electric line equipment and handrail on Wheatley's Viaduct (MVN2/196) (**NR22**).
- An application for listed building consent in respect of Occupation Underbridge (MDL1/10), Thornhill Lane, Westtown. The proposed works comprise the infill and deck re-construction of the Occupation underbridge (MDL1/10) (**NR23**).
- An application for listed building consent in respect of Toad Holes Underbridge (MDL1/12), Westtown. The proposed works comprise the total infill and deck re-construction of the Toad Holes underbridge (MDL1/12) (**NR24**).
- An application for listed building consent in respect of Ming Hill Underbridge (MDL1/14), Westtown. The proposed works comprise the total infill and deck re-construction of the Ming Hill underbridge (MDL1/14) (**NR25**).

- 1.4 Under Section 12(3A) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the above listed building consent applications have been referred to the Secretary of State for determination.
- 1.5 Kirklees Council ("**the Council**") submitted an objection on 17th May 2021 (given reference OBJ/33) ("**the Objection**") and a Statement of Case dated 6th July 2021 ("**the SoC**") in relation to Network Rail's application for the Order, request for deemed planning permission and listed building consents.
- 1.6 The Council further submitted Proofs of Evidence on 5th October 2021 in relation to Network Rail's application for the Order, request for deemed planning permission and listed building consents.
- 1.7 This Statement of Common Ground is intended to provide a succinct summary of the matters that have been resolved between the Council and Network Rail as regards Network Rail's application for the Order, request for deemed planning permission and listed building consents.
- 1.8 This Statement of Common Ground is also intended to provide a succinct summary of the matters that remain unresolved between the Council and Network Rail Network Rail's application for the Order, request for deemed planning permission and listed building consents.

2. STRUCTURE OF STATEMENT

2.1 This Statement is structured so to address the matters raised by the Council in the Objection and/or the SoC by reference to the following themes:-

- Planning Conditions (**see section 3**).
- Heritage & Historic Environment Impact (**see section 4**).
- Highways Network Management & Highways Structures (**see section 5**).
- Biodiversity & Climate Change (**see section 6**).
- Waste & Recycling (**see section 7**).
- Environmental Services (**see section 8**).
- Mineral Sites (**see section 9**).
- Dewsbury Riverside Housing Allocation (**see section 10**).

2.2 Attached as appendices to this Statement are:

- Amendments (shown as tracked changes) agreed by Network and the Council to the conditions that were proposed by Network Rail to be attached to Network Rail's request for deemed planning permission (see Appendix 2 to **NR12**) (**See Appendix 1 of this Statement**);
- Amendments (shown as tracked changes) agreed by Network and the Council to the conditions that were proposed by Network Rail to be attached to Network Rail's applications for Listed Building Consent (**NR17 to NR25**) (**See Appendix 2 of this Statement**); and
- Planning Conditions proposed by the Council in Schedule 1 of the SoC which Network Rail and the Council have agreed are not required to be included in the planning conditions to be attached to the direction for deemed planning permission (**NR12**) for the reasons stated (**See Appendix 3 of this Statement**).

3. PLANNING CONDITIONS

3.1 Statement of Common Ground

- 3.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding the conditions proposed by Network Rail to be attached to the direction for deemed planning permission sought by Network Rail (**NR12**) the table below summaries the Statements of Common Ground between the Council and Network Rail.
- 3.1.2 Where the table below identifies Statements of Common Ground by reference to agreed amendments to the conditions originally proposed by Network Rail to be attached to the direction for deemed planning permission sought by Network Rail (**NR12**) these amended conditions (with agreed amendments shown by tracked changes) are set out in Appendix 1 of this Statement.
- 3.1.3 Save for the matter outlined in Section 3.2 below of this Statement, Network Rail and the Council agree that Network Rail will submit to the Inquiry for the Network Rail’s application for the Order, request for deemed planning permission and listed building consents the amended conditions as set out in Appendix 1 of this Statement and that Network Rail will propose that these amended conditions be attached to the direction for deemed planning permission sought by Network Rail (**NR12**).

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Schedule 1	Kirklees Council proposed amendments to a number of the planning conditions originally proposed by Network Rail in Network Rail’s application for a direction for deemed planning permission to be attached to the direction for deemed planning permission (See Appendix 2 of NR12).	Appendix 1 of this Statement sets out the amendments now agreed by Network Rail and the Council to the conditions originally proposed by Network Rail in Network Rail’s application for a direction for deemed planning permission to be attached to the direction for deemed planning permission (the Interpretation provisions and planning conditions 1 to 16 as originally set out in Appendix 2 of NR12). These agreed amendments to the Interpretation provisions and planning

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>conditions 1 to 16 as originally set out in Appendix 2 of NR12 are shown as tracked amendments in Appendix 1 to this Statement.</p> <p><i>Council's Proof of Evidence Position</i></p> <p>Save for the matter outlined in Section 3.2 below of this Statement, the Council confirms that the amendments which are shown as tracked amendments in Appendix 1 to this Statement to planning conditions 1 to 16 as originally set out in Appendix 2 of NR12, address to the Council's satisfaction the matters detailed in Section 4.4 (Planning Conditions proposed by Network Rail) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>
SoC	Schedule 1	<p>The Council proposed that new planning conditions, in addition to those originally proposed by Network Rail in Appendix 2 of NR12, also be attached to the direction for deemed planning permission.</p> <p>These new planning conditions being referenced by the Council as AAC22 (Waste Drainage), AAC24 (New Maintenance Access) and AAC25 (Power Supply Unit).</p>	<p>Network Rail and the Council have agreed to the inclusion of the new planning conditions proposed by the Council which were referenced by the Council as AAC22 (Waste Drainage), AAC24 (New Maintenance Access) and AAC25 (Power Supply Unit).</p> <p>Appendix 1 of this Statement includes as tracked amendments these conditions as new conditions 16, 17 and 18. These being new conditions in addition to those originally proposed by Network Rail in Network Rail's application for a direction for deemed planning permission to be</p>

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>attached to the direction for deemed planning permission (see Appendix 2 of NR12).</p> <p><i>Council's Proof of Evidence Position</i></p> <p>The Council confirms that the inclusion of new conditions 16, 17 and 18, which are shown as tracked amendments in Appendix 1 to this Statement, address to the Council's satisfaction the matters detailed in Section 4.5 (Planning Conditions proposed by Kirklees Council which Network Rail Accept) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>
SoC	<p>Paragraph 12.2.7(a) Schedule 1, Proposed Condition ACC5</p> <p>Schedule 1, proposed amendments to original condition 4.</p>	<p>The Council raised an issue in relation to bridge structures MDL/6 & MDL/8 redundant and non-operational structures. The Council's concern is that the removal of the tracks would cause harm to the heritage value of these assets.</p> <p>The Council requested the inclusion of a planning condition relating to Biodiversity Net Gain</p>	<p>It has been agreed by Network Rail and the Council that new planning condition 20 will be included in the proposed planning conditions to be attached to the direction for deemed planning permission relating to the after maintenance of bridge structures MDL/6 & MDL/8. This new proposed planning condition is included as new condition 20 and is shown as a tracked amendment in Appendix 1 of this Statement. It is therefore agreed by Network Rail and the Council that proposed condition ACC5 is not required (also see Appendix 3 to this Statement).</p> <p>It has also been by Network Rail and the Council that new planning condition 19</p>

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>will be included in the proposed planning conditions to be attached to the direction for deemed planning permission relating to Biodiversity Net Gain. This new proposed planning condition is included as new condition 19 and is shown as a tracked amendment in Appendix 1 of this Statement.</p> <p><i>Council's Proof of Evidence Position</i></p> <p>The Council confirms that the inclusion of new conditions 19 and 20, which are shown as tracked amendments in Appendix 1 to this Statement, address to the Council's satisfaction the matters detailed in Section 4.6 (Additional Planning Conditions proposed by Network Rail To Be Added To The Deemed Planning Consent Request) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>
SoC	Schedule 1	The Council also proposed that a number of other amendments and new planning conditions, to amend and in addition to those originally proposed by Network Rail in Appendix 2 of NR12 , also be included in the direction for deemed planning permission.	<p>Appendix 3 to this Statement sets out these other condition amendments and new conditions which were proposed by the Council.</p> <p>Network Rail and the Council agree that for the reasons stated in Appendix 3 these other condition amendments and new conditions are not required to be included in the planning conditions to be</p>

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>attached to the direction for deemed planning permission (NR12).</p> <p><i>Council's Proof of Evidence Position</i></p> <p>The Council confirms that the omission of the condition amendments and new conditions set out in Appendix 3 to this Statement, are accepted by the Council and address to the Council's Satisfaction the matters detailed in Section 4.8 (Planning Conditions proposed by Kirklees Council In The Statement of Case) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>

3.2 Matters Outstanding

3.2.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding the conditions proposed by Network Rail to be attached to the direction for deemed planning permission sought by Network Rail (**NR12**) the table below summaries the matters that remain outstanding between the Council and Network Rail.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter & Summary of the Council's Current Position	Summary of Network Rail's Current Position
SoC	Schedule 1	<i>Summary of Matter</i>	Network Rail consider that the inclusion of tailpiece wording in some of the proposed planning conditions is necessary and

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter & Summary of the Council's Current Position	Summary of Network Rail's Current Position
		<p>Agreement on the inclusion of tailpiece wording in some of the proposed planning conditions to allow for the approval of amendments to details submitted and approved under those planning conditions.</p> <p><i>Summary of Council Position</i></p> <p>The Council raised concerns regarding the use of tailpiece conditions for the deemed consents process but are satisfied for the Inspector to reach their own conclusions on this matter based on previous TWA Order precedents and case law.</p>	<p>proportionate for a major infrastructure scheme and allows for minor amendments to be made without a lengthy process being required which could delay the works. This is in line with recent case law and also with the Planning Inspectorate guidance for the drafting of Development Consent Orders. Network Rail have also, to address the Council's concerns, further proposed the inclusion of new planning condition 21 (see Appendix A to this Statement) to provide certainty in the approval and implementation process where the Council are requested to approve amendments to details submitted and approved under the conditions. New planning condition 21 following as precedent planning condition 13 to the direction for deemed planning permission granted by the Secretary of State for Network Rail (Felixstowe Branch Line Improvements - Level Crossings Closure) Order 2018.</p>

4. HERITAGE & HISTORIC ENVIRONMENT IMPACT

4.1 Statement of Common Ground

4.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Heritage & Historic Environment Impact the table below summaries the Statements of Common Ground between the Council and Network Rail.

4.1.2 Where the table below identifies Statements of Common Ground by reference to agreed amendments to the original conditions proposed by Network Rail to be attached to Network Rail’s applications for Listed Building Consent. **(NR17 to NR25)** these amended conditions (with agreed amendments shown by tracked changes) are also set out in Appendix 2 of this Statement.

4.1.3 Network Rail and the Council agree that Network Rail will submit to the Inquiry for the Network Rail’s application for the Order, request for deemed planning permission and listed building consents the amended conditions as set out in Appendix 2 of this Statement and that Network Rail will propose that these amended conditions be attached to Network Rail’s applications for Listed Building Consent. **(NR17 to NR25)**.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Paragraph 12.2.7(a) & Schedule 1, Proposed Condition ACC5	The Council raised issues in relation to the redundant listed viaducts (MDL/6 & MDL/ 8) and the Council’s position that there should be a planning condition covering the maintenance and management of these assets.	It has been agreed by Network Rail and the Council that new planning condition 20 will be included in the proposed planning conditions to be attached to the direction for deemed planning permission relating to the after maintenance of bridge structures MDL/6 & MDL/8. This new proposed planning condition is included as new condition 20 and is shown as a tracked amendment in Appendix 1 of this Statement. It is therefore agreed by Network Rail and the Council that proposed condition ACC5 is not required (also see Appendix 3 to this Statement). <i>Council’s Proof of Evidence Position</i>

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>The Council confirms that the inclusion of new condition 20, which is shown as tracked amendments in Appendix 1 to this Statement, addresses to the Council's satisfaction the matters detailed in Section 4.6 (Additional Planning Conditions proposed by Network Rail To Be Added To The Deemed Planning Consent Request) relating bridge structures MDL/6 & MDL/8 of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>
SoC	<p>Paragraph 12.2.7 & Paragraph 12.2.14</p>	<p>The Council requested that the Conservation Implementation Plans (CIMPs) include a strategic element.</p> <p>Kirklees Council raised concern over the lack of a strategic elements to the CIMPs to be produced under the Listed Building Consent conditions..</p>	<p>It has been agreed by Network Rail and the Council that the CIMPs will include a requirement for a strategic element. Wording to add this element has been agreed and is included as tracked amendments in the relevant CIMP condition for each of Network Rail's Listed Building Consent applications NR17 to NR25, see Appendix 2 to this Statement.</p> <p>The strategic overview for each of the CIMPs will place the required works to the Listed Building in the wider context of the Trans-Pennine Route, noting group value and the contribution the Listed Building makes to its particular section of the Trans-Pennine route, respective historic railway company line and immediate environs.</p> <p><i>Council's Proof of Evidence Position</i></p>

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>The Council confirms that the amendments which are shown as tracked amendments in Appendix 2 to this Statement to the Listed Building Consent conditions as originally proposed by Network Rail in its Listed Building Consent applications NR17 to NR25, address to the Council's satisfaction the matters detailed in Section 4.7 (Listed Building Consent Conditions) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>
SoC	Paragraph 12.2.8	<p>The Council have raised that there is no reference to the Huddersfield Conservation Area & assessment of impact on the Huddersfield Conservation Area in the CIMP condition for Huddersfield Station and Huddersfield Viaduct.</p>	<p>It has been agreed by Network Rail and the Council that the CIMP condition for the Huddersfield Station and Huddersfield Viaduct Listed Building Consent applications (NR17 and NR 18) only will be amended to include reference to the Huddersfield Conservation Area. This is reflected in the new condition 6(i) which has been added to the Listed Building Consent application conditions for Huddersfield Station and Huddersfield Viaduct. These amendments are shown as tracked amendments in Appendix 2 of this Statement.</p> <p>It has also been agreed by Network Rail and the Council that the identified direct and indirect impacts on the character and appearance of the conservation area are minor adverse and the Council can confirm that they are content that special attention</p>

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>has been paid by Network Rail to the Huddersfield Conservation Area in the Environmental Statement that accompanied the Order application and the Listed Building Consent Heritage Assessment application documents submitted with the Huddersfield Station and Huddersfield Viaduct Listed Building Consent applications (NR17 and NR 18).</p> <p><i>Council's Proof of Evidence Position</i></p> <p>The Council confirms that the amendments which are shown as tracked amendments in Appendix 2 to this Statement to the Listed Building Consent conditions as originally proposed by Network Rail in its Listed Building Consent applications NR17 and NR18, address to the Council's satisfaction the matters detailed in Section 4.7 (Listed Building Consent Conditions) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>
SoC	Paragraph 12.2.7 (c) & Schedule 1, proposed condition AAC12	The Council raised an issue in relation to the Listed Coal Chutes at Hillhouse Sidings and concerns about protection during construction works.	<p>It is agreed by Network Rail and the Council that given the provisions within the listed building CIMP condition 5 (see Appendix B of this Statement), as well as in the CoCP (part A) and in planning condition 8 (see Appendix A of this Statement) this condition is deemed to be duplication and is unnecessary.</p> <p>Therefore it is agreed by Network Rail and the Council that planning condition AAC12 in the form identified by the Council in</p>

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>Schedule 1 of the SoC is not required for inclusion in the conditions to the deemed planning permission or the listed building consent applications.</p> <p>It has also been agreed by Network Rail and the Council that planning condition 5 will be amended to include reference to protective works to the Hilhouses listed coal chutes, see the tracked amendments in Appendix 1 of this Statement.</p> <p><i>Council's Proof of Evidence Position</i></p> <p>Save for the matter outlined in Section 3.2 below of this Statement, the Council confirms that the amendments which are shown as tracked amendments in Appendix 1 to this Statement to planning conditions 1 to 16 as originally set out in Appendix 2 of NR12 and the amendments which are shown as tracked amendments in Appendix 2 to this Statement to the Listed Building Consent conditions as originally proposed by Network Rail in its Listed Building Consent applications NR17 to NR25, address to the Council's satisfaction the matters detailed in Section 4.4 (Planning Conditions proposed by Network Rail) and Section 4.7 (Listed Building Consent Conditions) of the Proof of Evidence of Louise Bearcroft submitted by the Council on 5th October 2021 with document reference OBJ/33/LB/1.</p>

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Paragraph 12.2.8	The Council raised an issue in relation to the reporting of effects on Huddersfield Conversation Area in the Environmental Statement.	Network Rail and the Council do not agree on the reporting in the Environmental Statement submitted with the Order application and the Listed Building Consent Heritage Assessment application documents submitted with the Huddersfield Station and Huddersfield Viaduct Listed Building Consent applications (NR17 and NR 18). of the magnitude of impacts for the Conversation Area in Huddersfield Town Centre but both parties agree that the residual effects on the character and appearance of the conservation area would be slight adverse.
Statement of Case	Paragraph 12.3.2	The Council raised an issue about the lack of strategic conservation plan taking into account the whole route.	A technical note has been provided by Network Rail to the Council explaining the methodology and it is agreed between the parties that a strategic conservation plan is not required.

5. HIGHWAYS NETWORK MANAGEMENT & HIGHWAYS STRUCTURES

5.1 Statement of Common Ground

5.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Highways Network Management & Highways Structures the table below summaries the Statements of Common Ground between the Council and Network Rail.

5.1.2 The Statements of Common Ground between the Council and Network Rail identified below also address the matters raised by the Council in the Proofs of Evidence of Phil Champion, Claire Richardson and Dominic Wing as submitted by the Council on 5th October 2021 with document references OBJ/33/PC/1, OBJ/33/CR/1 and OBJ/33/DW/1.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Schedule 1, proposed conditions AAC6 to AAC9	The Council raised the need for a specific planning condition(s) in relation to highways network management and structures.	It is agreed between Network Rail and the Council that the Council's proposed planning conditions AAC6 to AAC9 are not required. The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter (see also Appendix 3 to this Statement as regards AAC6 to AAC9).
SoC	Section 9	The Council have raised concerns over the ownership and maintenance responsibility for a number of structure's impacted by the Order.	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
SoC	Paragraph 8.2.13	Highways specific structures: MVL3/921 – Viaduct over John William Street	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Paragraph 8.2.17	Mirfield Station Road – The Council raised concerns in relation to the junction and footpath at this location.	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
The Objection	Paragraph 4i	The Council raised a query in relation to achieving the proposed realignment of Colne Road Bridge Road	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
The Objection Appendix5	Structures	The Council raised a query in relation to the gradient on the north approach Calder Road River Bridge	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
SoC	Paragraph 9.3.5	The Council requested clarification in relation to the maintenance liabilities for Thornhill Road Bridge retaining walls	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
The Objection Appendix 5	Structures section	The Council raised a query in relation to maintaining access to Fall Lane/Thornhill Road – access to Weaving Lane Household recycling plant	The parties are entering into an agreement to confirm arrangements for managing the interface between the Order works and the Weaving Lane Household recycling plant which will deal with the Council's concerns on this matter.
		The Council raised a queries in relation to maintenance of access	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
The Objection Appendix 5	Structures Section	The Council raised a query in relation to existing masonry arches, currently carrying highway, to be structurally infilled and asked that structural fill to be	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
		subject to Highway Structures Technical Approval.	
The Objection	Paragraph 4i	The Council raised queries in relation to the longitudinal gradients and cycle provisions at MVL3/102 A62 Leeds Road Bridge Gradients & LTN120	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
The Objection	Paragraph 4i	The Council raised queries in relation to the clearances at Calder Road Roundabout Gradients & LTN120	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.
The Objection	Paragraph 4i	The Council raised queries in relation to design constraints at Colne Bridge Road – LTN120	The parties are entering into an agreement relating to highways matters which will deal with the Council's concerns on this matter.

6. BIODIVERSITY & CLIMATE CHANGE

6.1 Statement of Common Ground

6.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Biodiversity & Climate Change the table below summaries the Statements of Common Ground between the Council and Network Rail.

6.1.2 The Statements of Common Ground between the Council and Network Rail identified below also address the matters raised by the Council in the Proof of Evidence of Amy Riddick as submitted by the Council on 5th October 2021 with document reference OBJ/33/AR/1.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Schedule 1, Proposed new conditions AAC1, AAC2, AAC3 and AAC4	The Council raised the concern that the original LEMP planning condition did not cover all required biodiversity issues and proposed replacing this condition with four separate conditions referenced by the Council as AAC1, AAC2, AAC3 and AAC4.	Network Rail and the Council have agreed amendments to condition 4 (Landscaping & Ecology) to address the matters raised by the Council. The amendments to this planning condition can be seen as tracked amendments in Appendix 1 to this Statement. Due to the overlap between ecology and landscaping it has been agreed by the parties to address these matters through a single planning condition. It is therefore agreed by the parties that the Council's proposed conditions AAC1, AAC2, AAC3 and AAC4 are not required (see also Appendix 3 to this Statement).
SoC	Schedule 1, proposed amendments to condition 4.	The Council requested the inclusion of a planning condition relating to Biodiversity Net Gain	To address the matters raised by the Council regarding Biodiversity Net Gain, a new planning condition relating to Biodiversity Net Gain (as opposed to amendments to condition 4) has been agreed by Network Rail and the Council and has been included as new condition

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>19 which can be seen at Appendix 1 to this Statement.</p> <p>Network Rail and Kirklees Council agree the impact to woodland within the Order limits will be an issue targeted in the Biodiversity Net Gain approach. Where impacted woodland cannot be compensated for by natural regeneration or replanted within the Order limits, created woodland will be a priority for offsite net gain proposals. These would seek to enhance the KWHN and other local policies such as Local Nature Recovery Areas.</p>
SoC	Schedule 1, Proposed amendments to condition 4	The Council have raised the issue of ongoing maintenance of woodland planting on its land	Network Rail and the Council have agreed that the matter of the ongoing maintenance of woodland planting on Council land will be addressed in an agreement between Network Rail and the Council which will deal with the Council's concerns on this matter. Accordingly, the parties agree that no further condition amendments are required to address this matter, see also Appendix 3 of this Statement.
SoC	Schedule 1, Proposed Condition AAC1	The Council raised concerns in relation to the Protected Species licencing and timescales	<p>It is agreed between the parties that planning condition AAC1 in the form identified by the Council in Schedule 1 of the SoC is not required, see also Appendix 3 of this Statement.</p> <p>Network Rail are producing a clarification to the Environmental Statement submitted with the Order application and</p>

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			have confirmed the approximate timescales for licencing arrangements with Natural England.
SoC	Schedule 1, Proposed Condition APC14 and paragraph 6.2.5	The Council raised concerns regarding the provision of the Static Frequency Converter Site and proposed a new condition in relation to landscaping.	Network Rail and the Council have agreed amendments to condition 14 (Ravensthorpe Static Frequency Converter Site) to address the matters raised by the Council. The amendments to this planning condition can be seen as tracked amendments in Appendix 1 to this Statement.
SoC	Paragraph 6.2.5	The Council raised concerns around the provision of the Power Supply Power (PSP) Bradley Junction and the potential need for a planning condition to cover this	<p>Network Rail and the Council have agreed a new condition 18 to address the matters raised by the Council. This new planning condition can be seen at Appendix 1 to this Statement.</p> <p>It is agreed by the parties that minimisation of tree removal at the PSP site will be included with the relevant submission of the LEMP, noting that re-planting is targeted in any event and it might be possible to avoid removal of a percentage of the Tree Preservation Order trees, especially adjacent to the canal, and thus avoid the need for re-planting under the LEMP.</p>
SoC	Paragraph 11.2	The Council raised an issue regarding landscape and visual impacts at the Static Frequency Converter Site	Network Rail and the Council have agreed amendments to condition 14 to address the concerns expressed by the Council at the site within the limits of the Order. The agreed amendments to this planning condition can be seen as tracked amendments at Appendix 1 to this Statement.

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Paragraph 11.2.11	The Council raised the impact of the Power Supply Unit and Static Frequency Converter Site on public open space and Environmental Mitigation Land at Ravensthorpe	It is agreed that Network Rail and the Council will work collaboratively on the development of a scheme for the replacement public open space / environmental mitigation land to be provided in the vicinity of the Calder & Hebble Canal and Static Frequency Converter Site.

7. WASTE & RECYCLING

7.1 Statement of Common Ground

7.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Waste & Recycling the table below summarises the Statements of Common Ground between the Council and Network Rail.

7.1.2 The Statements of Common Ground between the Council and Network Rail identified below also address the matters raised by the Council in the Proof of Evidence of Carol Oakden as submitted by the Council on 5th October 2021 with document reference OBJ/33/CO/1.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Paragraph 15.3	The Council raised concerns in relation to the traffic flow in and out of the Emerald Street Household Waste and Recycling Centre during the works under the Order.	The parties are entering into an agreement to confirm arrangements for managing the interface between the Order works and the Emerald Street Household Waste and Recycling Centre which will deal with the Council's concerns on this matter.
SoC	Paragraph 15.3	The Council raised concerns in relation to the access and layout of the Weaving Lane Construction Access Route.	The parties are entering into an agreement to confirm arrangements for managing the interface between the Order works and the Weaving Lane Waste Facility which will deal with the Council's concerns on this matter.

8. ENVIRONMENTAL SERVICES

8.1 Statement of Common Ground

8.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Environmental Services the table below summaries the Statements of Common Ground between the Council and Network Rail.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC The Objection	Paragraph 7.2 Paragraph 3i	The Council raised questions in relation to the methodology and modelling used by Network Rail for the assessment of air quality impacts in the Environmental Statement submitted with the Order application.	Network Rail have provided the Council with further information clarifying the methodology and modelling used by Network Rail in relation to these air quality matters and the Council have confirmed they are satisfied and have no further comments on this matter.
The Objection	Paragraph 4iii	The Council raised queries in relation to managing proposed bus diversions during the Order works.	The parties are entering into an agreement relating to highway network management matters which will deal with the Council's concerns on this matter. Accordingly, in consequence of this agreement the parties agree that the planning condition changes proposed by the Council (referenced APC6) to address bus diversions are not required.
Appendix 5 to The Objection	Environmental Services Section	The Council raised a clarification query on the Environmental Statement actually referring to Cross Church Street, Paddock but this could be confused with the probably better-known Cross Church Street in Huddersfield	Network Rail have provided the Council with further information clarifying the references to "Cross Church Street" and "Paddock" and the Council have confirmed that they are satisfied and have no further comments on this matter.
SoC	Paragraph 7.2.7	The Council raised an issue in relation to the provision of noise	The parties are entering into an agreement regarding the provision by Network Rail of non-statutory noise

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
		insulation to properties at Whitacre Close.	insulation mitigation measures at relevant properties which will deal with the Council's concerns on this matter.
Appendix 5 to The Objection	Environmental Services Section	The Council raised a query in relation to the use of the BREEAM methodology. The Council consider that BS 4142 would be the most appropriate assessment method.	Network Rail have provided the Council with further information clarifying the methodology used by Network Rail in relation to these noise assessment matters and the Council have confirmed they are satisfied and have no further comments on this matter.
Appendix 5 to The Objection	Environmental Services Section	The Council raised queries in relation to noise issues at Hillhouse Sidings and the time period used for the CRN assessment. Data used relates to a 16-hour period between 0700 and 2300 which is a variation to CRN assessment period of 0600-2400 which is not considered to be ideal.	Network Rail have provided the Council with further information clarifying the methodology used by Network Rail in relation to these noise assessment matters and the Council have confirmed they are satisfied and have no further comments on this matter.
SoC	Schedule 1, Proposed amendments to planning condition 5	The Council have requested an External Communications Plan be included as part of the CoCP	Network Rail and the Council have agreed that an external communications programme will be included as part of the Network Rail Part B of the CoCP and that such provision is identified in condition 5 has originally proposed by Network Rail (see Appendix 1 to this Statement).
Appendix 5 to The Objection	Environmental Services Section	The Council raised issues in relation to Land Contamination issues including the Councils proposed condition APC11.	Network Rail and the Council have agreed that Network Rail will undertake further ground investigations and the results of these investigations will be reported as part of the discharge by Network Rail of condition 10 (Contaminated Land) (See Appendix 1 to this Statement).

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>The Council also agree that condition 10 means that once works are completed, the contaminated land report will be shared with the Council. Further amendments have also been agreed by the parties to condition 10 regarding remediation. The agreed amendments to condition 10 are shown as tracked changes in Appendix 1 to this Statement. Accordingly, the Council can confirm that it is satisfied as regards the form of condition 10 as amended.</p> <p>Network Rail and the Council have also agreed amendments to condition 11 (Unexpected Contaminated Land) to provide the Council with further comfort.</p> <p>The Council agree that the Network Rail responses to its other queries regarding contaminated land have been addressed to the satisfaction of the Council and that the Council and have no further comments on this matter.</p>
SoC	Paragraph 7.2.17 and Schedule 1, proposed condition AAC27	The Council requested that Electric Vehicles (EV) Charging Points be included by Network Rail as part of the Order works.	The Council accept that the provision of Electric Vehicle Charging points is outside of the remit of Network Rail and so will not be provided by Network Rail as part of the Order works. Following discussions, the Council are satisfied that the need for Electric Vehicle Charging points can be addressed outside of the scope of the Order works and the Transport and Works Act Order application process. The Council will continue to work in partnership with Network Rail and Station Franchise Operators, collaborating to deliver

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>charging infrastructure at stations across this district.</p> <p>Accordingly the parties agree that the new planning condition identified by the Council as AAC27 should be omitted (see also Appendix 3 of this Statement).</p>

9. MINERAL SITES

9.1 Statement of Common Ground

9.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Mineral Sites the table below summarises the Statements of Common Ground between the Council and Network Rail.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
SoC	Schedule 1, proposed conditions AAC28 to 30	The Council proposed new conditions AAC28 to 30 in relation to Forge Lane.	Network Rail and the Council agree that the amended conditions set out in Appendix 1 to this Statement which are proposed be attached to the direction for deemed planning permission sought by Network Rail (NR12) are sufficient to address matters relating to Forge Lane and so the parties agree that the Council's proposed planning conditions AAC28 to 30 are not required (see also Appendix 3 to this Statement).
SoC	Paragraph 14.2	The Council raised queries in relation Forge Lane Minerals extraction and restoration of the site and that it may need to be extended in the future.	Network Rail and the Council held a successful workshop on 12 August 2021 when it was established that the land required temporarily by Network Rail (identified as parcel numbers 23-054, 24-006 and 24-008 on the deposited plans) would be needed possibly prior to 2024 and would not be handed back to the operator until 2026/7. Not all of MES6 Forge Lane, Ravensthorpe (Mineral Extraction Site) is required and it is possible that the operator can undertake restoration of the land that remains under their control and complete the remainder of the restoration works when back in full control of the site. Following this workshop it was established that all mineral

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			<p>extractions had been completed. Network rail and the Council agreed that the Council would contact the operator requesting that the operator submit an application for a variation to their planning conditions so as to extend the timescale for them to carry out the restoration works due to being temporarily relieved of possession of part of the site should the TWAO be confirmed by the SoS. Network Rail will also engage with the operator to assist in the planning process to vary the permission by providing information to the operator about timescales and any other assistance they require to make a planning application.</p>
SoC	Paragraph 14.2.7	<p>The Council raised queries in relation to how the Order works will interact with the restoration plan at Thornhill Quarry.</p>	<p>Network Rail and the Council have agreed amendments to condition 14 (Ravensthorpe Static Frequency Converter Site) to address the matters raised by the Council. The amendments to this planning condition can be seen as tracked amendments in Appendix 1 to this Statement.</p>

10. DEWSBURY RIVERSIDE HOUSING ALLOCATION

10.1 Statement of Common Ground

10.1.1 In relation to the matters raised by the Council in the Objection and/or the SoC regarding Dewsbury Riverside Housing Allocation the table below summaries the Statements of Common Ground between the Council and Network Rail.

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
The Objection / SoC	Paragraph 5 / Paragraph 16	The Council raised queries in relation to the impact of the provision of utility diversions works as part of the Order works on the future development of the Dewsbury Riverside site.	Network Rail and the Council agree that the utility diversion works required to be undertaken by Network Rail as part of the Order works will provide additional developable area for the future development of the Dewsbury Riverside site, and the future masterplan can take account of these proposed utility relocations
The Objection / SoC	Paragraph 5 / Paragraph 16	The Council raised queries regarding the site for the relocation of the Ravensthorpe Railway Station and its interaction with the future development of Dewsbury Riverside site.	Network Rail and the Council agree that the re-location of the Ravensthorpe Railway Station as part of the Order works, and the construction of a new station to modern standards (including access for all, blue badge parking, and drop off areas) will provide a benefit for the future development of the Dewsbury Riverside site.
The Objection / SoC	Paragraph 5 / Paragraph 16	The Council raised a query in relation to the location of the Calder Road Roundabout and its interaction with the future development of Dewsbury Riverside site.	Network Rail and the Council agree that the new Calder Road Roundabout provides one of the strategic highway interventions required to deliver the wider housing allocation at the Dewsbury Riverside site. The masterplan allocation for the Dewsbury Riverside site can connect via a fourth arm into this new roundabout. This will deliver required

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
			infrastructure to help facilitate the development of Dewsbury Riverside site.
The Objection / SoC	Paragraph 5 / Paragraph 16	The Council raised a query in relation to the interface between the Order works and the Berkeley DeVeer Planning Application (Ref:2016/94118) and Reserved matters application ref: (2021/91759)	<p>The Council can confirm that there is currently no agreement between the Council and Berkeley DeVeer (BDV) to develop the currently consented 120 residential units on the Dewsbury Riverside site (this being the ex-Miller Homes development located on Council land).</p> <p>BDV currently control the access to the site of these proposed 120 residential units.</p>
The Objection / SoC	Paragraph 5 / Paragraph 16	The Council proposed an additional planning condition (AAC10) in relation to the Dewsbury Riverside site.	The Council agree that the proposed condition AAC10 is not required (see also Appendix 3 to this Statement).
The Objection / SoC	Paragraph 5 / Paragraph 16	The Council have submitted a new planning application for part of the Dewsbury Riverside site.	The Council can confirm that the Council has submitted (and awaiting validation of) a new planning application for the part of Dewsbury Riverside site within its land ownership. This application focusses the first phase of access from the Central Gateway of the allocation, and brings the spine road to the western limit of its ownership, which is compatible with connecting to TRU proposals in the Order application, and a 4 th arm of the proposed new Calder Road Roundabout subject to further detailed design and planning.
The Objection / SoC	Paragraph 5 /	The Council raised a query in relation to how the TRU works to be authorised by the Order	Network Rail and the Council agree that the works proposed for TRU to be authorised by the Order application will

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

Statement of Common Ground - Network Rail Infrastructure Limited & Kirklees Council

Matter Source (The Objection or the SoC)	Matter Source Section Reference	Summary of Matter	Statement of Common Ground
	Paragraph 16	application will fit with the assessment for Dewsbury Riverside site.	provide the baseline for the Ravensthorpe area and will become a committed scheme. Network Rail agree to continue to engage with the Council on the future development of the Dewsbury Riverside site and in particular on how this can be done most efficiently.

Signed by (on behalf of Network Rail):



Position: Head of Environment & Consents

Date: 21st October 2021

Signed by (on behalf of Kirklees Council):



Position: Strategic Director of Growth and Regeneration

Date: 22nd October 2021

APPENDIX 1

Agreed amendments to the conditions proposed to be attached to the direction for deemed planning permission

The following are the amendments (shown as tracked changes) agreed by Network and the Council to the conditions that were proposed by Network Rail to be attached to Network Rail's request for deemed planning permission. See Appendix 2 to **NR12**.

APPENDIX 2 OF NR12

CONDITIONS PROPOSED TO BE ATTACHED TO THE DIRECTION FOR DEEMED PLANNING PERMISSION

Interpretation

In the following conditions—

“the Code of Construction Practice” means the code of construction practice to be submitted to and approved by the local planning authority under condition 5 (code of construction practice), a draft of which (known as “Part A”) accompanies the Environmental Statement;

“the development” means the development authorised by the Order;

“the Environmental Statement” means the statement of environmental information submitted with the application for the Order on 31st March 2021;

[“Historic recording to Level 1” means the level of recording in accordance with Historic England guidelines comprising a basic photographic record;](#)

“the local planning authority” means Kirklees Council;

“Network Rail” means Network Rail Infrastructure Limited;

“the Order” means The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 202[X];

“the Order limits” has the same meaning as in article 2 (interpretation) of the Order;

“the planning direction drawings” means the drawings listed in Appendix 3 to the request for deemed planning permission dated 31st March 2021;

“preliminary works” means environmental (including archaeological) investigations, site or soil surveys, ground investigations and the erection of fencing to site boundaries or the marking out of site boundaries; site clearance and de-vegetation; and the erection of contractors' work compounds, access routes and site offices;

“Principal Station signage” means the station signage that will comprise the National Rail “double arrow” symbol and the relevant station name;

“the railway” means the railway comprised in the development;

The “site” means land within the Order limits;

“stage” means a defined section or part of the development the extent of which is shown in a scheme submitted to and approved by the local planning authority pursuant to condition 3 (stages of development); and reference to a numbered stage is to the stage of that number in the approved scheme.

1. TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT

The development hereby permitted must commence before the expiration of five years from the date that the Order comes into force.

***Reason:** To ensure that development is commenced within a reasonable period of time.*

2. IN ACCORDANCE WITH THE PLANNING DIRECTION DRAWINGS

The development must be carried out in accordance with the planning direction drawings unless otherwise agreed in writing by the local planning authority.

***Reason:** To ensure that the development is carried out in accordance either with the consented design or such other design details as have been subjected to reasonable and proper controls.*

3. STAGES OF DEVELOPMENT

No development (including preliminary works) is to commence until a written scheme setting out all the stages of the development has been submitted to and approved in writing by the local planning authority. Variations to the approved stages of development may be submitted to and approved in writing by the local planning authority. Thereafter the development shall be undertaken in accordance with the approved stages of development

***Reason:** To identify the individual stages for the purposes of these conditions.*

4. LANDSCAPING & ECOLOGY

No development within the relevant stage (including preliminary works) is to commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority.

The proposed LEMP for each Stage will include the following details:

- A plan of existing trees and tree features (such as groups of trees or woodland) to be retained and to be removed in accordance with BS5837(2012);
- A plan of ecological mitigation details including areas of new plantings and details of any habitats created or enhanced.
- Implementation timetable and a programme for initial aftercare, long-term management and maintenance responsibilities for a period of five years post-completion
- Details of organisation(s) responsible for maintenance and monitoring.

The LEMP must reflect the survey results and ecological mitigation and enhancement measures set out in the Environmental Statement, and must also include the following ecological measures:

- a) The aims and objectives of the management to be undertaken.
- b) A programme of monitoring with thresholds for action as required.
- c) Full details of measures to ensure protection and suitable mitigation to all relevant protected species and those species identified as being of importance to biodiversity (including licensing mitigation requirements) including bats; Luronium Natans (Floating Water Plantain); badgers; reptiles, otter and water vole, where appropriate.

The LEMP must include both hard and soft landscaping works, covering the locations where landscaping will be undertaken, and must also include the following details:

- Full detailed landscape plans indicating full planting specification, including layout, species, number, density and size of trees, shrubs, plants, hedgerows and/or seed mixes and sowing rates, including extensive use of native species;
- any structures, such as street furniture, any non-railway means of enclosure and lighting;
- any details of regrading, cut and fill, earth screen bunds, existing and proposed levels;
- any areas of grass turfing or seeding and depth of topsoil to be provided
- a timescale for the implementation of hard landscaping works;

- Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fail or become diseased within the first five years from completion;

The measures within the LEMP must be implemented in accordance with the approved details.

~~No development within the relevant stage (including preliminary works) is to commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The development must only take place in complete accordance with the approved LEMP and/or any subsequent revisions as may be approved in writing by the local planning authority.~~

~~The LEMP must reflect the survey results and ecological mitigation and enhancement measures set out in the Environmental Statement, and must also include;~~

- ~~A plan of existing trees and tree features (such as groups of trees or woodland) to be retained and to be removed in accordance with BS5837(2012);~~
- ~~Detail extent, type and provenance of new planting;~~
- ~~Timescale for the implementation of hard landscaping works;~~
- ~~Full details of method statement for treatment and removal of invasive species;~~
- ~~Implementation timetable and a five year post-completion monitoring schedule;~~
- ~~Draft maintenance schedules for all landscape areas;~~
- ~~Details of organisation(s) responsible for maintenance and monitoring;~~
- ~~A plan of environmental mitigation details including areas of new plantings and details of any new habitats created;~~
- ~~Details of location, design and construction of the wet features (ponds and Sustainable Drainage Systems); and~~
- ~~Full details of mitigation measures for relevant protected species (including licensing mitigation requirements) including bats; Luronium Natans (Floating Water Plantain); badgers; great crested newt, reptiles, otter and water vole, where appropriate.~~

Reason: *In the interests of the visual appearance and biodiversity of the area in accordance with the Kirklees Local Plan policies LP30, 31, 32 and 33. This is to secure the correct implementation of the measures identified in the Environmental Statement.*

5. CODE OF CONSTRUCTION PRACTICE

No stage of the development (including preliminary works) is to commence until a Code of Construction Practice (CoCP) for that stage, including the relevant plans and programmes referred to in (b) below (which incorporates the means to mitigate the construction impacts identified by the Environmental Statement), has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt this does not include approval for Part A of the CoCP (a general overview and framework of environmental principles and management practice to be applied to the scheme along with all construction-led mitigation identified in the Environmental Statement) which has been submitted as part of the Order.

Part B of the CoCP (as defined in the Environmental Statement) must include the following plans and programmes, for each stage as defined in condition 3:-

- i. An external communications programme;
- ii. A pollution prevention and incident control plan;
- iii. A waste management plan;
- iv. A materials management plan including a separate soils mitigation plan;
- v. A nuisance management plan concerning dust, wheel wash measures, air pollution and temporary lighting;
- vi. A noise and vibration management plan including a construction methodology assessment;
- vii. [details of the precise measures put in place to protect the Hillhouses listed coal chutes during the construction phase.](#)
- ~~vii. An Environmental Design Plan (Land Contamination & Hydrogeology);~~
- viii. A demolition methodology statement for relevant buildings; and
- ix. An Environmental Design Plan (EDP) (Land Contamination and Hydrogeology) – setting out the environmental requirements during the detailed design stage.

The development must be implemented in accordance with the approved CoCP and the relevant plans or programmes unless otherwise agreed in writing with the local planning authority shall be implemented in full throughout the period of the works.

Reason: *To mitigate expected construction impacts arising from the development and to protect local and residential amenity and to ensure the development is carried out in accordance with Kirklees Local Plan policies LP51 and 52.*

6. CONSTRUCTION TRAFFIC MANAGEMENT & TRAVEL PLAN

a) No stage of the development (except preliminary works) is to commence until a Construction Traffic Management Plan (“CTMP”) for that stage has been submitted to and approved in writing by the local planning authority for that stage. The CTMP must include:-

i. the package of interventions and mitigation outlined in Volume 2i, Chapter 23, Page 5, section 23.2.14 of the Environmental Statement including an implementation timetable for each stage;

ii. [specific details on arrangements for temporary car parking provision for train users as appropriate at each station including temporary parking at Huddersfield and Mirfield stations and mobility impaired set down/pick up points at Ravensthorpe and Deighton stations;](#)

and

iii. a travel plan for construction staff, outlining the methods by which they shall be transported to the relevant sites and including the provision of non-motorised facilities to encourage walking and cycling; and

iv. [details on temporary diversions of both highways and rights of way required as part of the Scheme.](#)

;

b) The construction of each stage of the development must be carried out in accordance with the approved CTMP unless otherwise agreed in writing with the local planning authority.

Reason: *To protect public amenity and highway safety and in accordance with Policy LP21 of the Kirklees Local Plan*

7. MATERIALS

a) Before the commencement of any works in respect of structures listed below, ~~or within such other timescales as may otherwise be agreed in writing with the Local Planning Authority,~~ samples and specifications of all materials to be used on all external elevations of the following structures must be submitted to and approved in writing by the local planning authority:

o MVN2/204 Lees Hall Farm

o [MVL3/90 Westgate Road bridge](#)

~~o [MVL3/96 Red Doles Bridge](#)~~

- MVL3/98 Fieldhouse Bridge
 - MVL3/99 Ridings
 - MVL3/100 Peels Pit
 - MVL3/101 Whitacre Street
 - MVL3/103 New Colliery Lane (Wheatleys) Bridge
 - MVL3/110 Parks
 - MVL3/106 New Colne Bridge Road Bridge
 - MVN2/202 Calder Road
 - MDL1/9 Fall Lane (Thornhill Road)
 - Ravensthorpe Railway Station
 - Deighton Station Forecourt, Lifts & Footbridge
 - Mirfield Station Lifts & Footbridge
 - Baker Viaduct (Ravensthorpe);
 - Weaving Lane Retaining Wall
 - Station staircase access to be closed at Mirfield station
 - Principal station signage at Huddersfield, Deighton, Mirfield and Ravensthorpe stations
- b) The development must be constructed in accordance with the approved details and thereafter retained unless otherwise agreed in writing with the local planning authority.

Reason: *In the interests of visual amenity and in accordance with Policy 24 of the Kirklees Local Plan.*

8. ARCHAEOLOGY

- a) Prior to any development (including preliminary works) in the areas listed below commencing, a construction methodology must be submitted to the local planning authority to assist in identifying any likely impacts on areas of heritage interest. It shall then be agreed in writing with the local planning authority (in consultation with West Yorkshire Archaeology Advisory Service (WYAAS)) whether a written scheme of investigation is required to be submitted in relation to those sites:
- The area of the former Union Dyeware Mills (HER PRN: 6671);
 - The area of the former goods yard at Huddersfield Station (HER PRN: 6525);
 - The area of the former Hillhouse Sidings (including the site of the White Stone Engine Shed) (HER PRN: 18375);

- The area including the pillbox at Woodend Road (HER PRN: 6588); and
 - The cropmark site to the south-west of Ravensthorpe Road (HER PRN:642).
- b) No development (including preliminary works) is to commence within the areas of archaeological interest identified in Table 23-1 to Chapter 23 of Volume 2i of the Environmental Statement or in any areas determined to require a written scheme of investigation in accordance with (a) above until a written scheme of investigation for such areas has been submitted to and approved in writing by the local planning authority.
- c) The approved scheme must identify areas where field work and/or a watching brief are required and the measures to be taken in order to protect, record or preserve any significant archaeological remains that may be found.
- d) Any archaeological field works or watching brief required by the approved scheme must be undertaken by a suitably qualified person or body approved by the local planning authority.

Reason: *To ensure that the significance of the historic environment is properly assessed and preserved and to ensure that the development is carried out in accordance with paragraphs 189 and 199 of the National Planning Policy Framework (2012), and policy LP35 of the Kirklees Local Plan.*

9. MEANS OF ENCLOSURE

- a) No later than 6 months after the commencement of the individual stage of the development to which it relates details of all new permanent means of enclosure for the railway in that stage must be submitted to and approved in writing by the local planning authority.
- b) The approved means of enclosure must be erected in full in accordance with the approved details [following the individual completion of each stage and retained thereafter](#) unless otherwise agreed in writing with the local planning authority.

Reason: *In the interest of public safety and visual amenity in accordance with policy LP24 (e) of the Kirklees Local Plan.*

10. CONTAMINATED LAND

In relation to contaminated land:

- a) Where the Environmental Statement indicates that intrusive investigation is necessary for that stage, development in the relevant stage is not to commence until a Phase II Site Investigation Report for that stage has been submitted to, and approved in writing by, the Local Planning Authority,
- b) Where remediation measures are shown to be necessary in the Environmental Statement or Phase II Reports undertaken pursuant to (a) above confirm remediation measures are necessary for the relevant stage, development in the relevant stage is not to commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement must include a programme for all works and for the provision of Verification Reports.
- c) Remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, the Local Planning Authority must be notified in writing immediately and where agreed as necessary, operations on the affected part of the site must cease. An amended or new Remediation Statement must be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which must thereafter be carried out in accordance with the revised approved Statement.

Reason: *To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use.*

11. UNEXPECTED CONTAMINATED LAND

Where significant* unexpected contamination is encountered, the Local Planning Authority must be notified in writing immediately and where agreed as necessary operations on the affected part of the site must cease. An amended or new Remediation Statement must be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which must thereafter be carried out in accordance with the revised approved Statement.

(* significant within this context of this condition is taken to mean visual or olfactory evidence of contamination not previously encountered in the intrusive ground investigation.)

Reason: To ensure that the presence of unexpected contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use [in accordance with Policy LP53 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework](#).

12. WESTGATE ROAD BRIDGE

- a) No work in respect of the provision of anti-trespass works on structures as identified on planning direction drawing 151667-TSA-30-MVL3-DRG-T-LP-162000 relating to bridge MVL3/90 Westgate Road must commence until details of the anti-trespass measures have been submitted to and approved in writing by the local planning authority [and implemented prior to commencement of works to structures](#).
- b) The development must be constructed in accordance with the approved details.

Reason: To ensure the measures will not have a detrimental effect on [significance of the Huddersfield Town Centre Conservation Area in accordance with Policies LP17, LP24 and LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework](#)

~~the Huddersfield town centre Conservation Area~~

13. NOISE ATTENUATION

Details of all permanent trackside noise attenuation measures identified in the Environmental Statement and on the relevant drawings, including a programme for implementation, must be submitted to and agreed in writing by the local planning authority before installation of the tracks, ~~and~~ [it](#) must be installed in accordance with the approved details [and retained thereafter](#).

Reason: In the interests of residential amenity [in accordance with Policy LP24 of Kirklees Local Plan](#).

14. RAVENSTHORPE STATIC FREQUENCY CONVERTER SITE

- a) Details of the detailed design of the Static Frequency Converter Site [and wider Ravensthorpe Triangle \(including Thornhill Quarry and Coal Wharf\)](#) as identified on planning direction drawing 151667-TSA-35-MDL1-DRG-T-LP-~~162883162891~~ must be submitted to and approved in writing by the local planning authority before work on the structure commences.

[The details must include the following:](#)

- [Details of restoration/mitigation of any ecological impacts within the site](#)

- A plan of ecological mitigation details including areas of new plantings and details of any habitats created or enhanced;
- Implementation timetable and a programme for initial aftercare, long-term management and maintenance responsibilities for a period of five years post-completion
- Details of any proposed hard/soft landscaping scheme including measures for visual screening

a)b) The development must be constructed in accordance with the approved details and retained thereafter unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of visual amenity and biodiversity in accordance with Local Plan policies LP24, LP30, LP31, LP32 and LP33 of Kirklees Local Plan.

~~15. SCHEME WIDE DRAINAGE STRATEGY~~

~~The development is to be undertaken in accordance with the scheme wide drainage strategy appended to the Flood Risk Assessment as submitted in the Environmental Statement.~~

~~**Reason:** To prevent the increased risk of flooding through an appropriate hierarchy of drainage & flood risk management and in accord with Policy LP27 of the Kirklees Local Plan.~~

~~16.15. HILLHOUSES YARD~~

Details of the detailed design of the structures at Hillhouses Yard listed below and identified on planning direction drawings 151667-TSA-31-MVL3-DRG-T-LP-162863, 162864 and 162865, must be submitted to and approved in writing by the Local Planning Authority before work on the structure commences.

The detailed design submitted must include the following:

- a) ~~The works shall be thereafter implemented in accordance with those details:~~
- Fencing around the whole compound;
 - Vehicle Restraint Measures;
 - Noise Attenuation Measures alongside the rear gardens of Hammond Street;
 - The compound site offices and storage areas; ~~and~~

- Retaining Wall below Hammond Street and in the Yard;
- The temporary station platform and immediate treatment of the land following its clearance once no longer required; and
- Re-located existing Railway Telecommunications (GSM-R) Mast within the yard.

b) The development must be constructed in accordance with the approved details, and within a timeframe to be agreed with the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with LP24 and LP51 of Kirklees Local Plan.

16. WASTE DRAINAGE

No Development (including preliminary works) must commence in respect of the re-located tea rooms on Huddersfield Station until a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dishwashing areas located within Huddersfield station has been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented prior to first operation of the development in respect of the re-located tea rooms at Huddersfield station and shall be retained thereafter.

Reason: To prevent fats, oils, and grease entering the drainage network in the interests of environmental wellbeing and in accordance with Local Plan policy LP28.

17. NEW MAINTENANCE ACCESS

No development (including preliminary works) in respect of the maintenance access roads to be provided and identified on planning direction drawings 151667-TSA-W3-000-DRG-T-LP-16294 (Wood Lane, Mirfield) and 151667-TSA-W3-000-DRG-T-LP-162939 (Colne Bridge Road, Bradley) must commence until the details of such maintenance access roads have been submitted to and approved in writing by the Local Planning Authority. Thereafter such maintenance access roads shall be provided in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety and in accordance with Local Plan policy LP21.

18. POWER SUPPLY UNIT

No development (including preliminary works) in respect of the power supply unit identified on planning direction drawing 151667-TSA-W3-000-DRG-T-LP-162939 to be provided at Colne Bridge Road must commence until a scheme or details of the

power supply unit have been submitted to and approved in writing by the Local Planning Authority. Thereafter the power supply unit must be constructed in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity in accordance with Local Plan Policy LP24.

19. BIODIVERSITY NET GAIN

Before the development commences (excluding preliminary works) a strategy to achieve an overall 10% net gain in biodiversity for the development, including monitoring, maintenance, management and reporting arrangements, must be submitted for approval in writing by the local planning authority. From the time the development comes into operation measures to achieve an overall 10% net gain in biodiversity for the development (assessed in accordance with the 2019 Department for Environment, Food & Rural Affairs biodiversity metric) shall be implemented in accordance with the approved strategy.

Reason: To ensure that the development does not adversely affect the natural wildlife and ecology of the area, including protected species, and secures a net gain in biodiversity in accordance with Kirklees Local Plan policy LP 30

20. MDL1/6 & MDL1/8 (EXISTING BRIDGES AT RAVENSTHORPE)

Within six months of the discontinuance of public services over the operation of that part of the existing railway network situated upon the Calder & Hebble Navigation Underbridge (MDL1/6) and the River Calder Underbridge MDL1/8, details relating to the following must be submitted to and approved in writing by the local planning authority :

- a) Measures to secure such bridges from unlawful access;
- b) The inspection regime to be adopted for such bridges; and
- c) Immediate maintenance measures arising for such bridges; and
- d) Historic recording of the bridges to level 1.

Reason: to ensure the proper and proportionate care of the listed structures once they cease to be operational in accordance with Policy LP35 of the Kirklees Local Plan

21. APPROVAL AND IMPLEMENTATION UNDER THESE CONDITIONS

Where under any condition the Local Planning Authority may approve amendments to details submitted and approved, such approval must not be given except in relation to changes where it has been demonstrated to the Local Planning Authority that the

approval sought is unlikely to give rise to any materially new or materially different adverse environmental effects from those assessed in the Environmental Statement.

Reason; *To provide for certainty in the approvals and implementation process and in the interests of proper planning*

APPENDIX 2

Agreed amendments to the conditions proposed to be attached to Listed Building Consents

The following are the amendments (shown as tracked changes) agreed by Network and the Council to the conditions that were proposed by Network Rail to be attached to Network Rail's applications for Listed Building Consent (**NR17 to NR25**).

Listed Building Consent Application – Huddersfield Station (NR17)

Schedule of proposed conditions for LBC application PP-09487231 (Huddersfield Station Works) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

Huddersfield Station - General

151667-TSA-30-MVL3-DRG-T-LP-166000 Key Plan
151667-TSA-30-MVL3-DRG-T-LP-166001 Roof Plan
151667-TSA-30-MVL3-DRG-T-LP-166002 Existing Platforms GA
151667-TSA-30-MVL3-DRG-T-LP-166003 Existing Elevations
151667-TSA-30-MVL3-DRG-T-LP-166004 Existing Sections
151667-TSA-30-MVL3-DRG-T-LP-166007 Proposed Elevations
151667-TSA-30-MVL3-DRG-T-LP-166008 Proposed Sections

Huddersfield Station - Retained Roof

151667-TSA-30-MVL3-DRG-T-LP-166045 Existing Roof A Structural Plan (Roof Level)
151667-TSA-30-MVL3-DRG-T-LP-166046 Existing Roof A Structural Plan (Platform Level)
151667-TSA-30-MVL3-DRG-T-LP-166047 Existing Roof A Structural Sections Sheet (1)
151667-TSA-30-MVL3-DRG-T-LP-166048 Existing Roof A Structural Sections Sheet (2)

151667-TSA-30-MVL3-DRG-T-LP-166049 Existing Roof A Proposed Strengthening Details
151667-TSA-30-MVL3-DRG-T-LP-166050 Existing Roof A Proposed Roof Coverings Plans (1)
151667-TSA-30-MVL3-DRG-T-LP-166051 Existing Roof A Proposed Roof Coverings Plans (2)
151667-TSA-30-MVL3-DRG-T-LP-166052 Existing Roof A Proposed Roof Coverings Plans (3)
151667-TSA-30-MVL3-DRG-T-LP-166053 Existing Roof A Proposed Roof Coverings Details (1)
151667-TSA-30-MVL3-DRG-T-LP-166056 Existing Roof A OLE Support Details
151667-TSA-30-MVL3-DRG-T-LP-166057 Existing Roof A Bracing Details

Huddersfield Station - New Roof

151667-TSA-30-MVL3-DRG-T-LP-166072 Existing Roof B and C Structural Plan (Roof Level)
151667-TSA-30-MVL3-DRG-T-LP-166073 Existing Roof B and C Structural Plan (Platform Level)
151667-TSA-30-MVL3-DRG-T-LP-166074 Existing Roof B and C Structural Sections
151667-TSA-30-MVL3-DRG-T-LP-166075 Existing Roof B and C Structural Sections (2)
151667-TSA-30-MVL3-DRG-T-LP-166076 Proposed Roof B (Shed Roof) GA
151667-TSA-30-MVL3-DRG-T-LP-166077 Proposed Roof B (Shed Roof) Structural Plan (Roof Level)
151667-TSA-30-MVL3-DRG-T-LP-166078 Proposed Roof B (Shed Roof) Structural Plan (Platform Level)
151667-TSA-30-MVL3-DRG-T-LP-166079 Proposed Roof B (Shed Roof) Structural Sections
151667-TSA-30-MVL3-DRG-T-LP-166080 Proposed Roof B (Shed Roof) Structural Sections (2)
151667-TSA-30-MVL3-DRG-T-LP-166081 Proposed Roof B (Shed Roof) Structural Sections (3)
151667-TSA-30-MVL3-DRG-T-LP-166082 Proposed Roof B (Shed Roof) Proposed Roof Covering Plans (1)
151667-TSA-30-MVL3-DRG-T-LP-166083 Proposed Roof B (Shed Roof) Proposed Roof Covering Plans (2)
151667-TSA-30-MVL3-DRG-T-LP-166084 Proposed Roof B (Shed Roof) Proposed Roof Covering Details (1)
151667-TSA-30-MVL3-DRG-T-LP-166085 Proposed Roof B (Shed Roof) Proposed Roof Covering Details (2)

Huddersfield Station - Platforms

151667-TSA-30-MVL3-DRG-T-LP-166184 Existing Plan
151667-TSA-30-MVL3-DRG-T-LP-166185 Proposed Plan and Section
151667-TSA-30-MVL3-DRG-T-LP-166186 Proposed Plan and Section

151667-TSA-30-MVL3-DRG-T-LP-166187 Proposed Plan and Section

Huddersfield Station - Passenger Subway (MVL3/91)

151667-TSA-30-MVL3-DRG-T-LP-166145 Existing Plan and Sections

151667-TSA-30-MVL3-DRG-T-LP-166146 Proposed Plan and Section

151667-TSA-30-MVL3-DRG-T-LP-166151 Finishes Plan

151667-TSA-30-MVL3-DRG-T-LP-166152 Finishes Elevations

Huddersfield Station - Parcel Subway (MVL3/91A)

151667-TSA-30-MVL3-DRG-T-LP-166166 Existing Plan and Sections

151667-TSA-30-MVL3-DRG-T-LP-166167 Proposed Plan and Section

Huddersfield Station - Tea Rooms

151667-TSA-30-MVL3-DRG-T-LP-166021 Existing and Proposed Locations

151667-TSA-30-MVL3-DRG-T-LP-166022 Existing floor plan and elevations

151667-TSA-30-MVL3-DRG-T-LP-166023 Existing and proposed roof plan

151667-TSA-30-MVL3-DRG-T-LP-166024 Existing section and details

151667-TSA-30-MVL3-DRG-T-LP-166025 Proposed floor plan and elevations

151667-TSA-30-MVL3-DRG-T-LP-166026 Proposed section and details

151667-TSA-30-MVL3-DRG-T-LP-166027 Proposed fire interventions

151667-TSA-30-MVL3-DRG-T-LP-166028 Proposed colour scheme

151667-TSA-30-MVL3-DRG-T-LP-166029 Existing and Proposed Foundations

Huddersfield Station - Platform Canopies

151667-TSA-30-MVL3-DRG-T-LP-166099 Proposed Platform GA

151667-TSA-30-MVL3-DRG-T-LP-166100 Proposed Platform Canopies Structural Plan (Roof Level)

151667-TSA-30-MVL3-DRG-T-LP-166101 Proposed Platform Canopies Structural Plan (Platform Level)

151667-TSA-30-MVL3-DRG-T-LP-166102 Proposed Platform Canopies Structural Sections

151667-TSA-30-MVL3-DRG-T-LP-166103 Proposed Platform Canopies Structural Sections

151667-TSA-30-MVL3-DRG-T-LP-166104 Proposed Platform Canopies Proposed Roof Covering Plans

151667-TSA-30-MVL3-DRG-T-LP-166105 Proposed Platform Canopies Proposed Roof Covering Details

151667-TSA-30-MVL3-DRG-T-LP-166106 Proposed Platform Canopies Elevation (1)

151667-TSA-30-MVL3-DRG-T-LP-166107 Proposed Platform Canopies Elevation (2)

151667-TSA-30-MVL3-DRG-T-LP-166108 Proposed Platform GA

151667-TSA-30-MVL3-DRG-T-LP-166109 Proposed Platform Penistone Canopies Structural Plan (Roof Level)

151667-TSA-30-MVL3-DRG-T-LP-166110 Proposed Platform Penistone Canopies Structural Plan (Platform Level)
151667-TSA-30-MVL3-DRG-T-LP-166111 Proposed Platform Penistone Canopies Structural Sections
151667-TSA-30-MVL3-DRG-T-LP-166113 Proposed Platform Penistone Canopies Proposed Roof Covering Plans
151667-TSA-30-MVL3-DRG-T-LP-166114 Proposed Platform Penistone Canopies Proposed Roof Covering Details
151667-TSA-30-MVL3-DRG-T-LP-166115 Proposed Platform Penistone Canopies Elevation (1)

Huddersfield Station – Footbridge (MVL3/91AA)

151667-TSA-30-MVL3-DRG-T-LP-166123 Footbridge - Proposed GA Platform Level
151667-TSA-30-MVL3-DRG-T-LP-166124 Footbridge - Proposed Plan Deck Level, Elevations
151667-TSA-30-MVL3-DRG-T-LP-166125 Footbridge - Proposed Roof Level GA
151667-TSA-30-MVL3-DRG-T-LP-166126 Footbridge - Proposed Elevations
151667-TSA-30-MVL3-DRG-T-LP-166127 Footbridge - Proposed Sections
151667-TSA-30-MVL3-DRG-T-LP-166128 Footbridge - Proposed Details (1)
151667-TSA-30-MVL3-DRG-T-LP-166129 Footbridge - Proposed Details (2)

151667-TSA-W3-000-DRG-T-LP-162970 OLE Structures Typical Details

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

- 3. (Huddersfield station materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations, roofs and subways of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

- 4. (Huddersfield Recording)** No works of demolition shall take place until an approved methodology for full structure recording has been approved in writing. Subsequent recording to the appropriate level (as recommended by Historic England) will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record. The following structures are the subject of this condition:

Huddersfield Station Roof (level 3)
Huddersfield Station Tea Rooms (level 2)

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. **(Platform Furniture Huddersfield)** Details of new platform fixtures and fittings, including close circuit television, public address system, customer information screens, waiting shelters, lighting, weather screens, and platform surfacing, shall be submitted to and agreed in writing with the local planning authority. The proposed works shall be carried out in accordance with these approved details unless otherwise agreed in writing by the local planning authority.

Reason: *To control the introduction of modern features onto the historic environment in an appropriate and sympathetic manner*

- 6 **(Conservation Implementation Management Plan – Huddersfield Station Environs)** No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) for Huddersfield Station and Huddersfield Viaduct (MVL 3/92) has been submitted to and approved in writing by the local planning authority. The approved CIMP [shall incorporate a strategic overview of the methodologies proposed and](#) shall include [specific methodologies](#) for:

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. repairs and strengthening to the existing fabric of the trainshed roof at Huddersfield Station;
- c. the deconstruction, storage and reconstruction of the Tea Rooms at Huddersfield Station;
- d. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse;
- e. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- f. details of the maintenance access regime with particular reference to the roofs
- g. dissemination of “toolbox talks” to personnel involved in demolition and construction works;
- h. provision of heritage interpretation boards during construction works; [and](#)
- i. [any works to reduce, mitigate or avoid harm to the special interest and character of the Huddersfield Town Centre Conservation Area.](#)

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Huddersfield Viaduct (NR18)

Schedule of proposed conditions for LBC application PP-09487257 (Huddersfield Viaduct Works) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-30-MVL3-DRG-T-LP-163100 Existing Plan and Proposed Plan
(Sheet 1)

151667-TSA-30-MVL3-DRG-T-LP-163101 Existing Plan and Proposed Plan
(Sheet 2)

151667-TSA-30-MVL3-DRG-T-LP-163102 Existing Plan and Proposed Plan
(Sheet 3)

151667-TSA-30-MVL3-DRG-T-LP-163103 Existing Plan and Proposed Plan
(Sheet 4)

151667-TSA-30-MVL3-DRG-T-LP-163104 Existing Plan and Proposed Plan
(Sheet 5)

151667-TSA-30-MVL3-DRG-T-LP-163105 Existing & Proposed East Elevation
(Sheet 1)

151667-TSA-30-MVL3-DRG-T-LP-163106 Existing & Proposed East Elevation
(Sheet 2)

151667-TSA-30-MVL3-DRG-T-LP-163107 Existing & Proposed East Elevation
(Sheet 3)

151667-TSA-30-MVL3-DRG-T-LP-163108 Existing & Proposed East Elevation
(Sheet 4)

151667-TSA-30-MVL3-DRG-T-LP-163109 Existing & Proposed East Elevation
(Sheet 5)

151667-TSA-30-MVL3-DRG-T-LP-163110 Existing & Proposed West Elevation
(Sheet 1)

151667-TSA-30-MVL3-DRG-T-LP-163111 Existing & Proposed West Elevation
(Sheet 2)

151667-TSA-30-MVL3-DRG-T-LP-163112 Existing & Proposed West Elevation
(Sheet 3)

151667-TSA-30-MVL3-DRG-T-LP-163113 Existing & Proposed West Elevation
(Sheet 4)

151667-TSA-30-MVL3-DRG-T-LP-163114 Existing & Proposed West Elevation
(Sheet 5)

151667-TSA-30-MVL3-DRG-T-LP-163115 Cross Sections with proposed OLE
151667-TSA-30-MVL3-DRG-T-LP-163118 Typical Arch Repair Details
151667-TSA-30-MVL3-DRG-T-LP-163119 Signal Gantry Cross Sections and Fixing Details

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

- 3. (Materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

- 4. (Huddersfield Viaduct Recording)** No works of demolition shall take place until a methodology for full structure recording has been approved in writing. The subsequent recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record in accordance with the timescales agreed in the approved methodology. The following structures are the subject of this condition :

- Huddersfield Viaduct Spans 1, and 29 (level 2); span 4 (level 1);
- A recording undertaken to Level 1 of the sections of the parapet of the viaduct which are proposed to be altered to accommodate the attachment of OLE and its setting, including a photographic record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. (Conservation Implementation Management Plan) No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority. The approved CIMP shall [incorporate a strategic overview of the methodologies proposed and](#) include methodologies for:

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;

- c. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- d. exact affixing details of overhead line electrification;
- e. details of any maintenance access regime if required;
- f. provision of heritage interpretation boards during construction works;
- g. provision of heritage interpretation boards during construction works;
- h) dissemination of “toolbox talks” to personnel involved in demolition and construction works.

i) [any works to reduce, mitigate or avoid harm to the special interest and character of the Huddersfield Town Centre Conservation Area.](#)

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Wheatley’s (Colliery Lane) Bridge (NR19)

Schedule of proposed conditions for LBC application PP-09487288 (Demolition of Wheatley’s (Colliery Lane) Bridge MVN3/103) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-32-MVL3-DRG-T-LP-163300 Existing and Proposed Plan
151667-TSA-32-MVL3-DRG-T-LP-163301 (1) Existing and Proposed Elevation (2) Existing and Proposed Sections

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for full structure recording including the appropriate level of recording has been approved in writing. Subsequent recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

4. **(Conservation Implementation Management Plan)** No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority. The approved CIMP shall [incorporate a strategic overview of the methodologies proposed and](#) include methodologies for:

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. details of any maintenance access regime required (if any)

- d. provision of heritage interpretation boards during construction works
- e. dissemination of “toolbox talks” to personnel involved in demolition and construction works

[Before the commencement of any works in respect of bridge MVL3/103 samples and specifications of all materials to be used on all external elevations must be submitted to and approved in writing by the local planning authority.](#)

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Colne Bridge Road Bridge **(NR20)**

Schedule of proposed conditions for LBC application PP-09487326 (Demolition of B6118 Colne Bridge Road Bridge MVL3/107) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-33-MVL3-DRG-T-LP-163400 Structures Existing Plan (LBC)
151667-TSA-32-MVL3-DRG-T-LP-163401 Structures Proposed Plan (LBC)
151667-TSA-32-MVL3-DRG-T-LP-163402 Structures West Elevation (LBC)
151667-TSA-32-MVL3-DRG-T-LP-163403 Structures East Elevation and Sections (LBC)

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for full structure recording including the appropriate level of recording has been approved in writing. Subsequent recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

4. **(Conservation Implementation Management Plan)** No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority. The approved CIMP shall [incorporate a strategic overview of the methodologies proposed and](#) include methodologies for:

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;

- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. details of any maintenance access regime required (if any)
- d. provision of heritage interpretation boards during construction works
- e. dissemination of “toolbox talks” to personnel involved in demolition and construction works

[Before the commencement of any works in respect of bridge MVL3/107, samples and specifications of all materials to be used on all external elevations must be submitted to and approved in writing by the local planning authority.](#)

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Mirfield Viaduct (NR21)

Schedule of proposed conditions for LBC application PP-09487368 (Provision of Overhead Line Equipment on Mirfield Viaduct MVN3/192) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-34-MVN2-DRG-T-LP-163500 Existing and Proposed plan layout

151667-TSA-34-MVN2-DRG-T-LP-163501 Existing and Proposed Elevation 1 (North)

151667-TSA-34-MVN2-DRG-T-LP-163502 Existing and Proposed Elevation 2 (North)

151667-TSA-34-MVN2-DRG-T-LP-163503 Existing and Proposed Elevation 3 (North)

151667-TSA-34-MVN2-DRG-T-LP-163504 Existing and Proposed Elevation 1 (South)

151667-TSA-34-MVN2-DRG-T-LP-163505 Existing and Proposed Elevation 2 (South)

151667-TSA-34-MVN2-DRG-T-LP-163506 Existing and Proposed Elevation 3 (South)

151667-TSA-34-MVN2-DRG-T-LP-163507 Existing and Proposed Typical Section

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

4. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for full structure recording including the appropriate level of recording has been approved in writing. Subsequent recording will

take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. **(Conservation Implementation Management Plan)** No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority. The approved CIMP shall [incorporate a strategic overview of the methodologies proposed and](#) include methodologies for:

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- d. exact affixing details of overhead line electrification
- e. details of any maintenance access regime required (if any)
- f. provision of heritage interpretation boards during construction works
- g. dissemination of “toolbox talks” to personnel involved in demolition and construction works

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – River Calder Wheatley’s Viaduct (NR22)

Schedule of proposed conditions for LBC application PP-09487405 (Provision of overhead line equipment and new handrail, River Calder Wheatley’s Viaduct MVN2/196) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-34-MVN2-DRG-T-LP-163600 Existing and Proposed plan layout

151667-TSA-34-MVN2-DRG-T-LP-163601 Existing and Proposed Elevation 1 (North)

151667-TSA-34-MVN2-DRG-T-LP-163602 Existing and Proposed Elevation 2 (North)

151667-TSA-34-MVN2-DRG-T-LP-163603 Existing and Proposed Elevation 1 (South)

151667-TSA-34-MVN2-DRG-T-LP-163604 Existing and Proposed Elevation 2 (South)

151667-TSA-34-MVN2-DRG-T-LP-163605 Existing and Proposed Typical Section

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

4. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for structure recording including the appropriate level of recording has been approved in writing. Subsequent

recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. (Conservation Implementation Management Plan) No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority.

[The approved CIMP shall incorporate a strategic overview of the methodologies proposed and include specific methodologies for:](#)

~~The approved CIMP shall include methodologies for:—~~

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- d. exact affixing details of overhead line electrification
- e. details of any maintenance access regime required (if any)
- f. provision of heritage interpretation boards during construction works
- g. dissemination of “toolbox talks” to personnel involved in demolition and construction works

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Occupation Bridge (NR23)

Schedule of proposed conditions for LBC application PP-09487446 (Infill of Occupation Bridge (Thornhill Road) MDL1/10) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-35-MVN2-DRG-T-LP-163800 Existing and Proposed Plan
151667-TSA-35-MVN2-DRG-T-LP-163801 Existing and Proposed Elevation
(North side)
151667-TSA-35-MVN2-DRG-T-LP-163802 Existing and Proposed Elevation
(South Side)
151667-TSA-35-MVN2-DRG-T-LP-163803 Existing and Proposed Sections

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

4. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for full structure recording including the appropriate level of recording has been approved in writing. Subsequent recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. **(Conservation Implementation Management Plan)** No works including any works of demolition shall commence until a Conservation Implementation Plan

(CIMP) has been submitted to and approved in writing by the local planning authority.

[The approved CIMP shall incorporate a strategic overview of the methodologies proposed and include specific methodologies for:](#)

~~The approved CIMP shall include methodologies for:~~

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- d. details of any maintenance access regime required (if any)
- e. provision of heritage interpretation boards during construction works
- f. dissemination of “toolbox talks” to personnel involved in demolition and construction works

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Toad Holes Bridge (NR24)

Schedule of proposed conditions for LBC application PP-09487474 (Total infill and deck re-construction of Toad Holes Bridge MDL1/12) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

151667-TSA-35-MVN2-DRG-T-LP-163900 Existing and Proposed Plan

151667-TSA-35-MVN2-DRG-T-LP-163901 Existing and Proposed Elevation
(South side)

151667-TSA-35-MVN2-DRG-T-LP-163902 Existing and Proposed Sections

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

4. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for full structure recording including the appropriate level of recording has been approved in writing. Subsequent recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. **(Conservation Implementation Management Plan)** No works including any works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority.

The approved CIMP shall incorporate a strategic overview of the methodologies proposed and include specific methodologies for:

~~The approved CIMP shall include methodologies for:—~~

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- d. details of any maintenance access regime required (if any)
- e. provision of heritage interpretation boards during construction works
- f. dissemination of “toolbox talks” to personnel involved in demolition and construction works

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

Listed Building Consent Application – Ming Hill Bridge (NR25)

Schedule of proposed conditions for LBC application PP-09487499 (Ming Hill Bridge MDL1/14) in association with the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order

1. **(Time Limit)** The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: *To set a reasonable time limit for the commencement of the development*

2. **(Approved Drawings)** The development hereby permitted shall be carried out in accordance with the following drawings:

*151667-TSA-35-MVN2-DRG-T-LP-163920 Existing and Proposed Plan
151667-TSA-35-MVN2-DRG-T-LP-163921 Existing and Proposed Elevation
(South side)
151667-TSA-35-MVN2-DRG-T-LP-163922 Existing and Proposed Sections*

Reason: *To ensure compliance with the approved plans and for the avoidance of doubt*

3. **(Materials)** Before the development hereby approved commences, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the local authority.

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

4. **(Historic Structures Recording)** No works of demolition shall take place until an approved methodology for full structure recording including the appropriate level of recording has been approved in writing. Subsequent recording will take place prior to demolition and be deposited with the West Yorkshire Archive Service and West Yorkshire Historic Environment Record.

Reason: *In recognition of the architectural and historic significance of the Listed Building and in accordance with Chapter 16 of the NPPF.*

5. **(Conservation Implementation Management Plan)** No works including any

works of demolition shall commence until a Conservation Implementation Plan (CIMP) has been submitted to and approved in writing by the local planning authority. [The approved CIMP shall incorporate a strategic overview of the methodologies proposed and include specific methodologies for:](#)

~~The approved CIMP shall include methodologies for:~~

- a. fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;
- b. the identification of historically or architecturally significant elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;
- c. any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;
- d. details of any maintenance access regime required (if any)
- e. provision of heritage interpretation boards during construction works
- f. dissemination of “toolbox talks” to personnel involved in demolition and construction works

Reason: *To ensure the conservation of the historic environment and be consistent with Policy LP35 of the Kirklees Local Plan*

APPENDIX 3

Planning Conditions proposed by the Council in Schedule 1 of the SoC which Network Rail and the Council have agreed are not required to be included in the planning conditions to be attached to the direction for deemed planning permission (NR12) for the reasons stated

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>AAC1 – ECOLOGY</p> <p>A) No development within the relevant stage (including preliminary works) is to commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The development must only take place in complete accordance with the approved LEMP.</p> <p>The LEMP must reflect the survey results and ecological mitigation and enhancement measures set out in the Environmental Statement, and must also include;</p> <ul style="list-style-type: none"> i. Description and evaluation of features to be managed and enhanced; ii. A plan of ecological mitigation details including areas of new plantings and details of any habitats created or enhanced; iii. Aims and Objectives of management; iv. Implementation timetable and a programme for long-term management and maintenance responsibilities for a minimum period of thirty years post-completion; v. A programme of monitoring with thresholds for action, setting out, if required, a remedial plan of alternative ecological actions (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met); vi. Details of organisation(s) responsible for maintenance and monitoring; vii. Full details of relevant protected species surveys, and reviews where necessary, 	<p>As confirmed in this Statement the proposed revised condition 4 (see Appendix A) which combines ecology and landscaping but also includes the provisions listed in condition AAC1 (except for the net biodiversity, which is now proposed to be the subject of a new condition 19 (see Appendix A)), is acceptable and thus no separate condition AAC1 on ecology is required by the Council.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>including updated badger surveys (including methods such as bait marking and use of trail cameras if required) to define badger mitigation requirements; and Details of measures to ensure protection and suitable mitigation to all relevant protected species and those species identified as being of importance to biodiversity (including licensing mitigation requirements) including bats; <i>Luronium Natans</i> (Floating Water Plantain); badgers; great crested newt, reptiles, otter and water vole, where appropriate.</p> <p>The measures within the LEMP shall be implemented in accordance with the approved details.</p> <p>B) No development shall commence until a plan to achieve an overall 10% net gain in biodiversity for the development is submitted to and approved in writing by the Local Planning Authority. The plan shall include the following</p> <p>i. The pre- and post-development biodiversity value of on-site habitats assessed utilising the DEFRA Biodiversity Metric 2.0 (or latest version, if available); and</p> <p>ii. Full details of any on and off-site habitat creation or enhancement required to achieve a 10% biodiversity net gain.</p> <p>Reason: <i>In the interests of the visual appearance and biodiversity of the area and to provide a biodiversity net gain in accordance with the Kirklees Local Plan policies LP30, LP31, LP32 and LP33.</i></p>	
<p>AAC2 - LANDSCAPE No development within the relevant stage (including preliminary works and works at the Ravensthorpe static frequency converter site) shall commence until a scheme of both hard and soft landscaping works, covering the locations where landscaping will be undertaken, has been submitted to the Local Planning</p>	<p>As confirmed in this Statement the proposed revised condition 4 (see Appendix A) which combines ecology and landscaping but also includes provisions listed in condition AAC2, is acceptable and thus no separate condition AAC2 on landscaping is required by the Council.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>Authority for approval. The works shall be set out in that scheme which shall include the details of:</p> <ul style="list-style-type: none"> (i) any structures, such as street furniture, means of enclosure and lighting; (ii) a plan of existing trees and tree features (such as groups of trees or woodland) to be retained and to be removed; (iii) any new trees showing their species, spread and maturity and new planting plans with written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants (including the location, number, species, size and planting density); (iv) any details of regrading, cut and fill, earth screen bunds, existing and proposed levels; (v) any areas of grass turfing or seeding and depth of topsoil to be provided; (vi) a timescale for the implementation of hard landscaping works; (vii) A plan of environmental mitigation details including areas of new planting and habitats created clearly identifying and demonstrating the mitigation being addressed; (viii) Details of initial aftercare and a long-term maintenance and management plan; and (ix) Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fail or become diseased within the first thirty years from completion; <p>All landscaping so approved shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.</p> <p>Reason: <i>In the interest of visual appearance, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policies LP24, LP30, LP31, LP32 and LP33 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.</i></p>	

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>AAC3 - IMPLEMENTATION AND MAINTENANCE OF LANDSCAPING</p> <p>No development within the relevant stage (including preliminary works and works at the Ravensthorpe static frequency converter site) shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in complete accordance with the approved LEMP and/or any subsequent revisions as may be approved in writing by the Local Planning Authority. All landscaping works shall be undertaken in accordance with the approved landscaping scheme. Hard landscaping works shall be implemented in full in accordance with the timescales set out within the relevant approved landscaping scheme. Soft landscaping works shall be carried out within the first available planting season after the completion of the adjacent structures. Any tree or shrub planted as part of an approved landscaping scheme that, within a period of 30 years of the date of planting, is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or seriously diseased, shall be replaced in the first available planting season with a specimen of the same species and size as the original planted to be approved by the Local Planning Authority.</p> <p><i>Reason: To ensure satisfactory implementation of the landscaping in the interests of protecting the character and appearance of the area in accordance with Policies LP24 and LP32 of the Kirklees Local Plan</i></p>	<p>As confirmed in this Statement the proposed revised condition 4 (see Appendix A) which combines ecology and landscaping but also includes provisions listed in condition AAC3 on maintenance is acceptable and thus no separate condition AAC3 on landscape maintenance is required by the Council.</p>
<p>AAC4 – TREES</p> <p>No development within the relevant stage (including preliminary works) shall commence until a scheme of mitigation for the loss of trees and associated public amenity shall be submitted to and approved in writing by the Local Planning</p>	<p>As confirmed in this Statement the proposed revised condition 4 (see Appendix A) which combines ecology and landscaping but also includes the provisions listed in condition AAC4 on trees, is acceptable and thus no separate condition AAC4 on trees is required by the Council.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>Authority. Thereafter the development shall be undertaken in accordance with the approved mitigation scheme for the relevant stage. Any tree planted as part of an approved tree mitigation scheme that, within a period of 30 years of the date of planting, is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or seriously diseased, shall be replaced in the first available planting season with a specimen of the same species and size as the original planted to be approved by the Local Planning Authority.</p> <p>Reason: <i>In the interests of visual and public amenity and to accord with the requirements of Policies LP24 and LP33 of the Kirklees Local Plan.</i></p>	
<p>AAC5 - CONSERVATION IMPLEMENTATION MANAGEMENT PLANS (CIMPs)</p> <p>No stage of the development (including preliminary works) shall commence until a Conservation Implementation Management Plan (CIMP) for that section of the TRU W3 route (including the detailed plans and specifications sufficient to define the scope, extent and programme of works which impact on the section of the line and the individual historic buildings and structures affected by the proposed works, as identified by the Environmental Statement) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The CIMP should include an overarching statement to define the general conservation standards required to minimise adverse impacts and define the compensation measures necessary to mitigate the effect on the historic environment as a whole, as well as on the individual listed buildings.</p> <p>The CIMP should define a coherent strategy and details designed to preserve and enhance the</p>	<p>The CIMPs are in relation to the applications for Listed Building Consent only. Reference to an overarching strategic view of the CIMP is proposed for inclusion in each of the relevant listed building consent conditions (See Appendix 2 of this Statement). A specific new condition relating to the after maintenance of MDL1/6 & 1/8 has been provided as part of the conditions proposed for deemed planning consent (new planning condition 20, see Appendix 1 of this Statement). Reference to the protection of Hillhouses Coal Chutes during construction is addressed in an alteration to existing condition 5 (see Appendix 1 of this Statement). Based on these alterations the Council consider condition AAC5 is not required.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>retained historic building and structures and should include:</p> <ol style="list-style-type: none"> 1. The detailed methodologies for intervention work, including any intrusive investigation surveys, dismantling, alteration, demolition and reconstruction of all identified historic buildings and structures impacted by that Section of the Route. 2. The sustainable re-use of materials during construction of the TRU W3 works, including opportunities for the recovery and reuse of all stone from dismantled bridges and the ironwork from the trainshed at Huddersfield Station 3. Specifications for the restoration, repair or making good of all retained historic fabric subject to alteration works, including the retained stone bridge abutments. 4. Specifications for the installation of the integration of bird and bat boxes and access points into the bridge structures and altered under-bridges. 5. A maintenance plan and future management strategy to secure the sustainable reuse of the associated individual listed structures made redundant by the TRU W3 works, including the following: Hillhouse Sidings Railway Coal Chutes and Tramway with wall and gates, Alder Street (Hillhouse Sidings), Huddersfield (list entry 1096083). <ul style="list-style-type: none"> - The recording, future use, management and management of the embankment and railway line made redundant by the new Ravensthorpe Viaduct. - The recording, future use, management and management of Ravensthorpe- Dewsbury Railway Bridge over Calder and Hebble Navigation, Long Cut, (MDL1/6). Grade II list entry: 1183783. - The recording, future use, management and management of Ravensthorpe - Dewsbury railway bridge over River Calder (MDL1/8). Grade-II listed – entry 1313646. <p>Reason: <i>To minimise the development's detrimental effect on the significance of heritage</i></p>	

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p><i>assets and to ensure biodiversity enhancement measures are secured in accordance with Policies LP17, LP24, LP30 and LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework.</i></p>	
<p>AAC6 - HIGHWAY STRUCTURES (EMBANKMENTS) Prior to the commencement of development, a scheme including cross-sectional information together with the proposed design and construction details for any modifications to any existing embankments or new embankments to construct the proposed development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority including the written approval of the Highway Structures Section). The details shall include a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works, details of removal of any bulk excavations, a full slope stability analysis together with structural calculations, and details of all associated safety measures for the protection of adjacent public highway. All highway retaining structures shall be designed and constructed in accordance with the approved details and shall be so maintained. Reason: <i>To ensure that any new retaining structures do not compromise the stability of the highway and other land, in the interests of highway and public safety, and to accord with Policies LP21 and LP53 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.</i></p>	<p>Given the side agreement being developed between Network Rail and the Council on highway issues and the protective provisions within the Order this condition is deemed unnecessary by the Council.</p>
<p>AAC7 - HIGHWAY STRUCTURES (RETAINING STRUCTURES) Prior to the commencement of development, the design and construction details of all retaining walls and building retaining walls adjacent to</p>	<p>Given the side agreement being developed between Network Rail and the Council on highway issues and the protective provisions within the</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>existing highways shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority including the written approval of the Highway Structures Section). The details shall include cross-sectional information, details of locations, and details of any modifications to existing highway retaining walls. The development shall be completed in accordance with the approved details and shall be retained as such thereafter.</p> <p>Reason: <i>To ensure that any new retaining structures do not compromise the stability of the highway, in the interests of highway safety, and to accord with Policy LP21 of the Kirklees Local Plan.</i></p>	<p>Order this condition is deemed unnecessary by the Council.</p>
<p>AAC8 - HIGHWAY STRUCTURES (FOOTBRIDGES)</p> <p>Prior to the commencement of development, the design and construction details of all new footbridge structures (including ramps) that carry public rights of way and/or bridleways shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority including the written approval of the Highway Structures Section). The development shall be completed in accordance with the approved details and shall be retained as such thereafter.</p> <p>Reason: <i>To ensure that any new footbridge structures do not compromise the highway, in the interests of connectivity and highway safety, and to accord with Policies LP20, LP21 and LP47 of the Kirklees Local Plan.</i></p>	<p>Given the side agreement being developed between Network Rail and the Council on highway issues and the protective provisions within the Order this condition is deemed unnecessary by the Council.</p>
<p>AAC9 - HIGHWAY STRUCTURES (BRIDGES AND CULVERTS)</p> <p>Prior to the commencement of development, the design and construction details of all new or modified bridges or culverts (including ramps)</p>	<p>Given the side agreement being developed between Network Rail and the Council on highway issues and the protective provisions within the Order this condition is deemed unnecessary by the Council.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>that carry the public highway shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority including the written approval of the Highway Structures Section). The development shall be completed in accordance with the approved details and shall be retained as such thereafter.</p> <p>Reason: <i>To ensure that any new or modified bridges or culverts do not compromise the public highway, in the interests of highway safety, and to accord with Policy LP21 of the Kirklees Local Plan.</i></p>	
<p>AAC10 – HOUSING ALLOCATION HS61/RAVENSTHORPE STATION</p> <p>a) No development shall commence until full details of:</p> <p>i) the re-alignment of the bridleway to the south of the existing bridleway including consideration of the change in levels and the implications of access to the housing allocation, have been submitted to and approved in writing by the Local Planning Authority.</p> <p>ii) the proposed access arrangements to facilitate the development of HS61 in association with the new Ravensthorpe train station including the implications of the change in levels and associated engineering works have been submitted to and approved in writing by the Local Planning Authority.</p> <p>iii) the proposed design of the relocated overhead electrical terminal pylons within HS61 and associated infrastructure.</p> <p>iv) connecting links for active travel modes between housing allocation HS61 to the proposed new Ravensthorpe station including consideration of the change of level between the allocation and the proposed new roundabout.</p> <p>v) the proposed construction compound to the south of the proposed Ravensthorpe Station with a phasing and restoration plan upon completion of the works</p>	<p>The Council agree that the proposed condition AAC10 is not required.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>vi) associated utilities infrastructure, earthworks, buffers and allotments to be implemented within housing allocation HS61 with a phasing plan to identify when these developments are to take place.</p> <p>b) Notwithstanding the details on Drawing Plans 151667-TSA-35-MUN2-DRG-T-LP-162550 to 151667-TSA-35-MVN2-DRG-T-LP-162577, development shall not commence until the applicant has demonstrated an appropriate solution to facilitate access to the housing site to be agreed in writing by the Local Planning Authority.</p> <p>Reason: <i>To ensure the delivery of a regional strategic housing allocation in Kirklees Local Plan is not comprised and in the interests of highway safety, sustainability, visual and residential amenity in accordance with Local Plan Policies LP1, LP2, LP3, LP4, LP5, LP19, LP21, LP23, LP24, LP65 and allocated housing site HS61.</i></p>	
<p>AAC11 - TEMPORARY WORKS/STRUCTURES AT HILLHOUSE</p> <p>Prior to the commencement of development, details of the temporary structures and uses at Hillhouse to include details of the temporary platform and access/parking arrangements and details for future site clearance/restoration shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.</p> <p>Reason: <i>In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.</i></p>	<p>An alteration is proposed to condition 15 (see Appendix A to this Statement) which will address the points mentioned in condition AAC11 and thus condition AAC11 is not considered necessary by the Council.</p>
<p>AAC12 - CODE OF CONSTRUCTION PRACTICE FOR PROTECTION OF THE HISTORIC ENVIRONMENT</p> <p>No stage of the development impacting on any aspect of the Historic Environment is to</p>	<p>Given the provisions within the listed building CIMP condition 5 (see Appendix B of this Statement), as well as in the CoCP (part A) and in planning condition 8 (see Appendix A of this</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>commence (including preliminary works) until a Code of Construction Practice (CoCP) for that stage, detailing relevant plans and programmes for the protection of heritage assets and potential archaeological finds of importance during works has been submitted to and approved in writing by the local planning authority.</p> <p>Thereafter the development shall be implemented in accordance with the approved CoCP for the protection of the historic environment and the relevant plans or programmes shall be implemented in full throughout the period of the works.</p> <p>Reason: <i>To mitigate expected construction impacts arising from the development and to protect heritage assets and to ensure the development is carried out in accordance with Kirklees Local Plan policy LP35.</i></p>	<p>Statement) this condition is deemed to be duplication and is unnecessary.</p>
<p>AAC13 - TEMPORARY PARKING PROVISION AT MIRFIELD STATION</p> <p>Prior to the temporary closure of Mirfield Station car park, details of the temporary parking arrangements to serve Mirfield Station shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the temporary parking provision shall be completed in provided in accordance with the approved details.</p> <p>Reason: <i>In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.</i></p>	<p>As condition 6 (see Appendix 1 of this Statement) is proposed to be amended to make direct reference to temporary parking issues this condition will no longer be necessary.</p>
<p>AAC14 - PYLONS (DESIGN)</p> <p>No works to existing pylons or the erection of new pylons shall commence until a detailed scheme has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved scheme and retained.</p>	<p>The Council agree to omit condition AAC14 following clarification from Network Rail that the Order will powers to install pylons.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>Reason: <i>In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.</i></p>	
<p>AAC15 - NOISE INSULATION AND TEMPORARY REHOUSING DURING CONSTRUCTION</p> <p>No stage of the development impacting on residential Noise Sensitive Receptors (NSR's) is to commence (including preliminary works) until a report identifying the residential Noise Sensitive Receptors (NSR's) eligible for noise insulation or temporary housing and details of all necessary mitigation has been submitted to and approved in writing by the local planning authority.</p> <p>Where residential Noise Sensitive Receptors (NSR's) are eligible for noise insulation or temporary housing this eligibility will be determined (notwithstanding the implementation of Best Practicable Means (BPM)) by exceedance of either:</p> <p>A) The construction noise SOAEL value at the residential NSR during the relevant period as defined in Table 8-10 (p21 2021-03 Environmental Statement Volume 2.ii Route Section Assessment Document NR16) Or</p> <p>B) A sustained vibration level of at least 1 mm/s at the residential NSR; and</p> <p>The duration of noise and/or vibration exceedance must be for a period of:</p> <p>10 or more days in any 15 consecutive days; or</p> <p>40 or more days in any 6 consecutive months.</p> <p>All noise levels shall be predicted or measured as a point 1m in front of the most exposed of any windows and doors in any façade of the eligible building. Temporary rehousing shall be offered for significant vibration effects, for noise the offer shall be noise insulation. Thereafter the development of the relevant stage shall be carried out in accordance with the approved details and the stated mitigation provided.</p> <p>Reason: <i>To protect the amenity of occupiers of residential Noise Sensitive Receptors</i></p>	<p>Given the side agreement being developed between Network Rail and the Council on this matter this condition is deemed unnecessary by the Council.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p><i>(NSR's) and to accord with Policy LP24 of the Kirklees Local Plan.</i></p>	
<p>AAC16 - PUBLIC RIGHTS OF WAY (DESIGN) No stage of the development impacting on any Public Right of Way is to commence (including preliminary works) until a scheme for the design, construction, surfacing, cross and long sections for proposed works to existing and proposed routes of Public Rights of Way in that stage has been submitted to and approved in writing by the local planning authority. Thereafter the development of the relevant stage shall be carried out in accordance with the approved details. Reason: <i>In the interests of securing adequate design and construction details for Public Rights of Way and to accord with Policies LP20 and LP23 of the Kirklees Local Plan and chapter 9 of the National Planning Policy Framework.</i></p>	<p>Given the side agreement being developed between Network Rail and the Council on highway issues and the protective provisions within the Order this condition is deemed unnecessary by the Council.</p>
<p>AAC17 - PUBLIC RIGHTS OF WAY (CLOSURE AND DIVERSION) No stage of the development impacting on any Public Right of Way is to commence (including preliminary works) until a scheme for temporary closures of Public Rights of Way in that stage has been submitted to and approved in writing by the local planning authority. Thereafter the development of the relevant stage shall be carried out in accordance with the approved details. Reason: <i>To assess and minimise disruption to users across the length of the Scheme and to accord with Policies LP20 and LP23 of the Kirklees Local Plan and chapter 9 of the National Planning Policy Framework</i></p>	<p>As condition 6 (see Appendix 1 of this Statement) is proposed to be amended to make direct reference to such temporary closures issues this condition will no longer be necessary.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>AAC18 – TEMPORARY SURFACE WATER DRAINAGE</p> <p>Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:</p> <ul style="list-style-type: none"> - phasing of the development and phasing of temporary drainage provision. - include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented. <p>The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.</p> <p>Reason: <i>To ensure the provision of adequate temporary means of drainage, in the interests of amenity and environmental well-being.</i></p>	<p>The Council agree to omit this condition AAC18 as this matter is adequately addressed by the Protective Provisions in the Order for the Council as lead local flood authority.</p>
<p>AAC19 DRAINAGE</p> <p>Development shall not commence until a scheme detailing foul, surface water and land drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, general flood risk mitigation and water quality improvement) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a maintenance and management itinerary and schedule, included access and operational details. When the approved scheme has been provided it should be retained thereafter.</p>	<p>The Council agree to omit this condition AAC19 as this matter is adequately addressed by the Protective Provisions in the Order for the Council as lead local flood authority.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>Reason: <i>To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental wellbeing.</i></p>	
<p>AAC20 CULVERTS/WATERCOURSES Development shall not commence until a scheme detailing the additional culverting/piping of the watercourse within the site (including trash and safety screen assessments and upgrades where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management regime for the enclosed and open watercourses. No part of the development shall be brought into use until the watercourse piping works comprising the approved scheme have been completed. The maintenance and management regimes shall be implemented thereafter. Reason: <i>To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental wellbeing.</i></p>	<p>The Council agree to omit this condition AAC20 as this matter is adequately addressed by the Protective Provisions in the Order for the Council as lead local flood authority.</p>
<p>AAC21 STORM EVENTS The development shall not commence until an assessment of the effects of 1 in 100 year storm events with an allowance for climate change, and blockage scenarios, on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area, in both directions, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter. Reason: <i>To ensure the provision of adequate and sustainable systems of drainage in the</i></p>	<p>The Council agree to omit this condition AAC21 as this matter is adequately addressed by the Protective Provisions in the Order for the Council as lead local flood authority.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<i>interests of amenity and environmental wellbeing.</i>	
<p>AAC23 HIGHWAY DESIGN– LTN 1/20 No development shall commence until the design and construction details of all new or modified highways and bridges that carry the public highway shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. Any new or modified highways shall be designed in accordance with LTN 1/20The development shall be completed in accordance with the approved details and shall be retained as such thereafter. Reason: <i>To ensure that any new or modified highways and bridges designs accord with LTN 1/20 and Policy LP21 of the Kirklees Local Plan.</i></p>	<p>Given the side agreement being developed between Network Rail and the Council on highway issues and the protective provisions within the Order this condition is deemed unnecessary by the Council.</p>
<p>AAC26 TELEPHONE NETWORK MAST No development shall commence until a scheme or details of the new telephone network mast proposed have been submitted to and approved in writing by the Local Planning Authority. Thereafter the network mast shall be provided in accordance with approved details. Reason: <i>In the interests of visual amenity in accordance with Local Plan policy LP24.</i></p>	<p>The Council agree to omit this condition AAC 26 as Network Rail have confirmed that the mast at Heaton Lodge is to remain unchanged and it is proposed is to include a criterion in amended condition 15 (see Appendix A to this Statement) to cover the position of the GSM-R mast in the sidings area.</p>
<p>AAC27 ELECTRIC CHARGING POINTS Prior to the commencement of development, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles at stations shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output: · One Standard Electric Vehicle Charging Point for every 10 unallocated parking spaces. Parking spaces that are to be provided with charging points shall not be brought into use until the</p>	<p>The Council agree to omit this condition AAC27 on the understanding from Network Rail that the provision of such matters are outside of the remit of Network Rail.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>charging points are installed and operational. Charging points installed shall be retained thereafter.</p> <p>Reason: <i>In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework. EVF1 Electric Vehicle Charging Points.</i></p>	
<p>AAC28 FORGE LANE (MES6) - RESTORATION SCHEME</p> <p>Within 24 months of the date of commencement of development a detailed scheme shall be submitted to and approved in writing by the Mineral Planning Authority which indicates how the site at Forge Lane MES6 will be restored to nature conservation and amenity if either of the following applies:</p> <p>(i) If following the commencement of extractive operations, water mains crossing the site are to be diverted, site restoration shall to be based on Figure 3 (Rev PD5) Conceptual Restoration Masterplan, pursuant to planning permission 2012/92979.</p> <p>(ii) If following the commencement of extractive operations water mains crossing the site are to be retained in situ site restoration shall be based on Figure 3 (Rev PD6) Conceptual Restoration Masterplan, pursuant to planning permission 2012/92979.</p> <p>The submitted scheme shall provide, inter alia, for;</p> <p>(a) the removal of all buildings, structures, plant and machinery used in connection with the minerals extraction from the site and the removal of quarry haul roads excepting the section between Forge Lane and the car park.</p> <p>(b) plans and cross sections showing existing and post restoration ground levels.</p> <p>(c) the re-grading of the shoreline to produce shallows suitable for the development</p>	<p>It is agreed between the parties that the Council proposed planning conditions AAC28 to 30 are not required.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>of a marginal and wetland habitat. (d) replacement of soils (e) details of marginal planting in the shallows area. (f) details of the edge planting to include tree species and size, numbers and spacing, fencing and methods of planting and protection from pests and weed control. (g) the development of grassland outside the tree planting areas, including details of grass species and maintenance. (h) the provision of footpaths and access points. (i) construction details of the cycleway extension between the existing terminus of the Spen Valley Green Way and the diverted footpath no. 117 (k) a programme of work to include working methods and implementation and a timetable for the works. (j) in the event that any water or gas mains are to be permanently retained within the Order limits, details of the treatment of the land within protected pipeline corridors including landscaping, landform and levels, spillways and any other necessary constructions. Thereafter the restoration shall be completed in accordance with the approved details and programme of works. Reason: <i>To ensure that the restoration of the site results in a beneficial after use in accordance with Kirklees Local Plan Policies LP30, LP31, LP32, LP34, LP37, LP47 and LP53 as well as Sections 15 and 17 of the National Planning Policy Framework.</i></p>	
<p>AAC29 FORGE LANE (MES6) – AFTERCARE SCHEME An outline aftercare scheme requiring such steps as may be necessary over the aftercare period to bring each restoration phase of the site reclaimed under Condition [27] above, to the required standard for use for nature conservation and wetland amenity shall be submitted to and approved in writing by the Mineral Planning Authority at least 3 months prior to the completion</p>	<p>It is agreed between the parties that the Council proposed planning conditions AAC28 to 30 are not required.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>of replacement of all restoration soils on any phase of the permitted development site and thereafter fully implemented. The aftercare scheme shall provide an outline strategy which shall include:</p> <ul style="list-style-type: none"> • a detailed annual programme for the first year of aftercare • details identifying who would be responsible for carrying out the aftercare, • broadly outline the steps to be carried out in the aftercare period, and their timing within the overall programme, • include all areas subject to aftercare on an accompanying map with separate demarcation of any areas having different aftercare periods or management proposals. <p>Reason: <i>To ensure that the restoration of the site results in a beneficial after use and to accord with Kirklees Local Plan Policies LP30, LP31, LP32, LP34, LP37, LP47 and LP53 as well as Sections 15 and 17 of the National Planning Policy Framework.</i></p>	
<p>AAC30 FORGE LANE (MES6) – AFTERCARE MONITORING</p> <p>A) Following compliance with Conditions [28 and 29] above a detailed annual aftercare programme shall be submitted annually to the Mineral Planning Authority before 31 August during the remainder of the aftercare period. The programme submitted shall amplify the outline strategy for aftercare work to be carried out in the forthcoming year, include any modifications to the original proposals and the approved scheme shall be fully implemented.</p> <p>B) Every year during the aftercare period, the developer shall arrange a site meeting to be held before 30th November to discuss the reports prepared in accordance with Condition no. [29] above to which the following parties shall be invited:</p> <ul style="list-style-type: none"> (a) The Mineral Planning Authority, (b) The operator, (c) All owners/tenants of land within the site, 	<p>It is agreed between the parties that the Council proposed planning conditions AAC28 to 30 are not required.</p>

Number and Wording of Council Planning Condition	Reason for not including the planning conditions to be attached to the direction for deemed planning permission (NR12)
<p>(d) Any restoration/aftercare sub-contractor retained by the applicant/operator, (e) DEFRA, (f) Natural England. to discuss the reports prepared, review progress to date, agree any further remedial measures or improvements necessary to be carried out under the aftercare programme for the coming year. Reason: <i>To ensure the restoration of the site is completed satisfactorily and site is brought to a beneficial after use and to accord with Kirklees Local Plan Policy LP37 and Sections 15 and 17 of the National Planning Policy Framework.</i></p>	