

The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order

OPENING SUBMISSIONS ON BEHALF OF NETWORK RAIL

Introduction

1. Network Rail seeks an order under the Transport and Works Act 1992 authorising the improvement of the Transpennine railway line between Stalybridge and Diggle (Saddleworth) (“**the Scheme Route**”).
2. The works authorised by the Order (“**the Order Scheme**”) form an essential part of the multi-billion-pound Transpennine Route Upgrade project (“**TRU**”), which will make the Transpennine Route fit for purpose, support levelling up, and improve the resilience and capacity of the Route. It will be a transformative improvement to a vital piece of Victorian transport infrastructure which has suffered from many years of underinvestment.
3. The Scheme Route is not fit for the purposes of the modern railway, or the Government’s ambition of promoting greener travel and economic growth. The current route, and indeed the Transpennine Route as a whole, lacks capacity and resilience. Infrastructure constraints on the Scheme Route prevent more trains from running on the route. It also prevents those that do run from running at higher speeds. The signalling technology is outdated, and the Scheme Route does not serve the needs of modern freight.
4. The impacts of this are obviously felt acutely by those who use the railway and suffer firsthand delays, overcrowding and poor reliability. But the impacts extend beyond that: the Transpennine Route could be a catalyst to unlocking economic growth and levelling up in the North of England, and the infrastructure is holding that back.

5. The improvement of the Scheme Route is long overdue. No objector suggests otherwise. Moreover, the delivery of the Order Scheme is integral to the delivery of the wider TRU. Viewed on its own terms and as part of the wider TRU, there is an obvious and compelling case in the public interest for the delivery of the improvements in the Order Scheme.
6. In these Opening Submissions, we briefly address the following five points:
 - a) The context and need for the Order Scheme;
 - b) The purpose and operation of the Order;
 - c) The benefits of the Order Scheme;
 - d) Compliance with relevant policy; and
 - e) The impacts of the Order Scheme, and why they are justified.
7. Inquiry Document INQ-02 provides a table showing where Network Rail has addressed each of the matters in the Statement of Matters and should be considered alongside this opening statement.

Context: Need for the Order Scheme

8. The Order Scheme is concerned with part of the Transpennine Route, running between York and Manchester, via Leeds and Huddersfield. It comprises 76 miles of track, serves 23 stations, crosses over and dips under 285 bridges and viaducts, passes through six miles of tunnels, and crosses over 29 level crossings. It is the most direct existing rail link between Manchester and Leeds. It also forms a spine which links a wider set of economic centres such as Newcastle and Hull in the East, and Liverpool in the West. It serves both passengers and freight.
9. The Scheme Route includes 11km of track within the Transpennine Route, and two railway stations (Mossley and Greenfield). The Scheme Route was built between 1846 and 1849 for the Huddersfield & Manchester Railway, following the route of the Huddersfield Narrow Canal through the challenging Pennine landscape. Its development

required major engineering interventions in the landscape, including monumental construction of the Standedge Tunnel and Uppermill Viaduct, both of which are located within the Scheme and are still in daily use almost 200 years later.

10. The challenging Pennine landscape has meant that relatively few alterations to the Scheme Route have been carried out since it was built.¹ Whilst other parts of the Transpennine Route were subject to significant alterations, in general terms the Scheme Route remains largely as it was built in the 19th century – a non-electrified, mostly two-track railway. It winds through the valleys that lie between Stalybridge and the Standedge tunnel, before diving under the moors into Yorkshire. While other parts of the country have seen significant investment in railway improvements, the Transpennine Route has been left behind.
11. It is now at capacity and performs poorly. More people travel on the railway today than ever before. Demand for passenger and freight services is high, and is expected to rise significantly in the future. However, prior to the pandemic, only 38% of passenger trains on the Transpennine Route ran on time.² In other words, almost two thirds of passenger services were late. The Transpennine Route was becoming a symbol of public service decay and underinvestment in the North.
12. Passenger demand for the Route has returned to pre-Covid levels, and reliability has improved, but the Route overall continues to suffer problems daily, including delays, overcrowding and slow journey times. As things stand, there is no room for additional passenger services. The lack of capacity means that when things go wrong on the Scheme Route, significant knock-on effects can be felt on the wider Transpennine Route.
13. If the line cannot cope *now*, it will not be able to cope with increased demand in the future. The need for improvement is acute.
14. The Transpennine Route is also an important route for carrying freight. The Route is one of the most direct East-West travel corridors in the North of England. But the Scheme Route - particularly because of its Victorian bridges and tunnels - is unable to

¹ NR-PoE-SH-14.2, para 3.1.3.

² Defined as making station calls within a minute of the scheduled time: NR-PoE-MA-1.2, para. 3.5.3.

accommodate container freight services. What could be a vital freight artery significantly underperforms against its potential, putting more HGVs onto a congested trans-Pennine road network.

15. All of the above hinders rather than helps economic growth, greener travel, and levelling up. There is, accordingly, a compelling need to upgrade the Transpennine Route and the Order Route in particular.
16. That improvement is underway. The TRU, as we have noted, is a multi-billion-pound scheme to upgrade the Transpennine Route. It comprises a series of railway upgrade projects between Manchester, Huddersfield, Leeds and York, the purpose of which is to improve journey times and capacity between key destinations on the Route and to improve the overall reliability and resilience of the Route. By methodically addressing constraints over a sustained period of investment, the TRU will deliver transformational change.
17. The Order Scheme is demonstrably necessary in its own right, in order to enable much needed and essential improvements to passenger train and freight services serving the Scheme Route itself, as well as local station improvements. However, as a part of the TRU, the delivery of the Order Scheme is integral to the delivery of the benefits of the TRU.
18. No objector seriously disputes the need for improvement, or suggests that the existing network is fit for purpose. The absence of objection must not lead to this point being forgotten. The point of departure for every issue before this Inquiry must be this: a recognition that the current Victorian infrastructure is not fit for purpose, and in desperate need of upgrade if it is to be capable of servicing existing demand, let alone contribute to economic growth and a greener future. This compelling need for improvement, in the context of the wider TRU, is the “golden thread” justifying the Order and each of its component parts.
19. That compelling need is not merely Network Rail’s assertion. It has been recognised by the Secretary of State. In approving the Huddersfield to Westtown (Dewsbury) Improvements Order in 2022, the Secretary of State agreed with the Inspector’s view that

the Transpennine Route “does not currently meet the needs of passengers” and is “in urgent need of improvement” for both passenger and freight services.³ Mark Ashton considers some of the other Orders which have been made in connection with the TRU.⁴ This Order Scheme is the next essential step in a programme whose need has already been recognised.

20. We turn now to summarise the purpose and operation of the draft Order.

Purpose and operation of the Order

21. The purpose of the Order Scheme is to increase capacity, improve journey times, and improve the reliability and resilience of passenger train services that serve both the Scheme Route and the Transpennine route between Manchester, Huddersfield, Leeds and York.
22. That will principally be achieved by the electrification of the Scheme Route and improvements to the signalling system, alongside changes to the alignment of the track to provide the clearance necessary for electrification and containerised freight movements. In short, the Order Scheme would allow more trains to travel on the line – because they can travel closer together, at higher speeds, and through a wider gauge. This will, among other things, increase overall capacity and resilience.
23. Network Rail will also be delivering a series of associated works to the railway between Stalybridge and Diggle under permitted development rights.⁵
24. The Draft Order (NR02), as amended (see NR144 and NR145), would give Network Rail the necessary powers to construct, operate and maintain the works in the Order Scheme. In particular, the Order would authorise the following works:

³ NR-PoE-MA-1.2 Proof of Evidence, para. 3.5.9.

⁴ NR-PoE-MA-1.2 Proof of Evidence, para. 3.5.9-3.5.12.

⁵ See the Town and Country Planning (General Permitted Development) (England) Order 2015.

- a) Construction of a new relocated station at Mossley. This will provide a fully accessible station, including modern passenger facilities, step-free access, longer and wider platforms, additional parking and improved drop-off arrangements.
 - b) Installation of Overhead Line Equipment to fully electrify the Scheme Route. Electrification enables a switch away from diesel power, and will support decarbonisation. Electrification also assists with journey time improvements and performance by allowing trains to accelerate faster, and brake more efficiently.
 - c) Reconstruction and modification of existing bridges to facilitate electrification. This will not only facilitate electrification of the Scheme Route and the associated benefits that brings, but also enables larger freight containerisation on the railway.
 - d) The Order would also authorise the closure of Stockport Road level crossing and the permanent closure of the Moorgate Halt level crossing. This will result in a material improvement in the safety of the Scheme Route. This will also contribute to improving the capacity and performance of the Scheme Route by reducing conflicts between trains and the public.
 - e) The provision of new railway drainage, electrification and signalling infrastructure and associated rail operational works to support the operation of the improved Scheme Route. This will lead to a more reliable and resilient railway; allow for increased capacity in the number of trains; and higher line speeds that will improve journey times.
25. Further, the Order would provide Network Rail with the necessary powers to deliver the Order Scheme, including temporary and permanent acquisition of land (and/or rights over land), the alteration of street layouts, traffic regulation powers, and the stopping up of highways.⁶ The Order also makes provision for the authorisation of temporary works (such as construction compounds) which are required to build out the Order Scheme.

⁶ See para. 3.1.1 of NR's Statement of Case for a fuller description.

26. In addition to the application for the Order, Network Rail has applied for the following consents, all of which are before the Inquiry:
- a) Request for deemed planning permission: Network Rail has applied to the Secretary of State for Transport, under section 90(2A) of the Town and Country Planning Act 1990, for a direction that planning permission be deemed to be granted for the Order works (subject to the conditions, prepared and agreed with the local planning authorities, Oldham BC and Tameside MBC: see NR11, NR/SOCG/OBJ/185 and NR/SOCG/REP05).
 - b) Listed Building Consent: Network Rail has made 10 applications for listed building consent (NR18 to NR27) in respect of works to be authorised by the Order to the relevant local planning authorities, which have been referred to the Secretary of State for determination in accordance with section 12(3A) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (NR61).
 - c) Certificates under the Acquisition of Land Act 1981: the Order makes provision for the acquisition of two plots of open space (10-002B, 10-012), and rights over a third (10-007).⁷ Network Rail seeks the appropriate certificates under the 1981 Act for their acquisition (NR29).⁸ The Secretary of State issued notice of intention to grant the requested certificates on 27 November 2025 (NR28).

The benefits of the Order scheme

27. The Order Scheme would lead to clear and significant benefits, as explained by Mark Ashton. The benefits broadly fall into three categories.
28. First, the Order Scheme will deliver demonstrable benefits to the Order Route and wider Transpennine Railway. As a component of the TRU, the Order Scheme will contribute to an increase in network capacity by allowing more trains (both passenger and freight) to travel on the route and at higher speeds. It will lead to faster journey times, greater reliability, better performance, better stations, and improved passenger experience.

⁷ NR SoC para. 10.1.1 onwards and NR29.

⁸ That is, a certificate under s. 19(1)(b) of the 1981 Act for the two plots being acquired, and a certificate under paragraph 6(1)(a) of Schedule 3 of the 1981 Act for the land over which rights are sought.

Operating and maintenance costs will fall with the introduction of newer technology. Safety will be increased by the closure of high-risk level crossings.

29. In short, the Order Scheme will help secure a Transpennine Railway which is fit for purpose, and *contributes* to growth, rather than holding the region back.
30. Second, the Order Scheme will deliver clear environmental benefits. Electrification of the Scheme Route will help support decarbonisation of the railway, and increased freight and passenger capacity and capability will help take lorries and cars off of roads. This is demonstrably in accordance with the Government’s ambition to decarbonise the country’s infrastructure.⁹
31. Thirdly, the implementation of the Order Scheme will bring significant socio-economic benefits across the local, sub-regional and regional level in terms of business activity and employment. Access to businesses will be improved, and the Order Scheme will encourage new business and housing development in the surrounding area.
32. None of this is seriously disputed by any objector. Indeed, the principle of the scheme commands support, even from those who have lodged objections. Tameside Metropolitan Borough Council “strongly supports the objectives of the Order as part of the TransPennine Route Upgrade.”¹⁰ Oldham Borough Council “welcomes the strategic importance” of the TRU “and recognises its critical role in improving rail capacity, resilience, reliability and journey times across the North of England.”¹¹ Mossley Town Council describes itself as “fully supportive of the TransPennine Upgrade Project.”¹² Saddleworth Parish Council “supports in principle the improvements to the Transpennine Route.”¹³
33. Twenty-seven letters of support have also been received. These warrant careful consideration for their clear and compelling endorsement of the wide economic and social benefits of the TRU and the Order Scheme. Transport for Greater Manchester

⁹ See NR-PoE-MA-1.2 Proof of Evidence, para. 3.7.

¹⁰ SOC-REP-05 Tameside Metropolitan Borough Council.

¹¹ SOC-OBJ-185 Oldham Council.

¹² SOC-OBJ-213 Mossley Town Council.

¹³ SOC-REP-04 Saddleworth Parish Council.

(SUP/03) describes TRU as a “vital investment in the North’s transport infrastructure” which is “essential for delivering improved capacity, connectivity, economic growth, and progress towards national decarbonisation goals”. The West Yorkshire Combined Authority (SUP/11) adds that “the benefits will extend far beyond Greater Manchester’s boundaries”, not just in terms of the strategic benefits but also for the communities between Huddersfield and Standedge Tunnel where improving services to Manchester is “a long-awaited key priority for local stakeholders and for the Combined Authority”. Transport for the North (SUPP/20) explains that this is “more than just an infrastructure scheme – it’s a catalyst for transformative growth”. Approval of the TWAO “will give confidence to private sector investors seeking to invest across the North in locations served by services using the improved Transpennine corridor”. By contrast “delay to the TWAO risks holding back economic growth”.

34. The economic benefits are similarly endorsed by the Greater Manchester Chamber of Commerce, which describes TRU as a “once-in-a-generation investment”, noting that the Order Scheme through “better rail connectivity will help local businesses access a wider labour pool, attract a skilled workforce and strengthen supply chain links and collaboration across the Pennines” (SUP/16). Syngenta (SUP/19) gives clear evidence of the way in which prudent investment in transport infrastructure can unleash private sector investment.
35. The Order Scheme will also deliver social benefits, including through the education sector. As the University of Huddersfield (SUP/04) explains, “Robust transport links support increased access to jobs, skills, and education... TRU will greatly enhance knowledge transfer partnerships and university-industry collaborations that span regional boundaries”. So, too, the University of Manchester (SUP/14): “Improved connectivity will benefit our staff and students, expand recruitment catchment, support innovative partnerships and strengthen the University’s place within a connected innovation corridor”. The benefits are also recognised by Huddersfield Town football club, which describes TRU as “a catalyst for prosperity, sustainability, and improved access for our supporters, our visitors, and the whole region” (SUP/06).
36. In terms of freight, support for the scheme runs wide and deep. The Chartered Institute of Logistics and Transport explains (SUPP/26):

“TRU is transformational, urgently-needed investment in one of the North’s most strategically important rail corridors. It will deliver modern infrastructure needed to improve reliability, support growth in rail freight..., and strengthen the region’s economic competitiveness.

...

The inability to move standard shipping containers across the Pennines by rail is a substantial inhibitor of modal switch from HGVs to rail and relieving congestion on the M62 and M60... Trans Pennine is the only major trunk route in the country which cannot take standard shipping containers and around 1000 HGV movements a day are likely to switch from these congested road arteries to rail...”

37. The Rail Freight Group (SUPP/22) gives strong support to the TWAO, echoed by a number of its members (SUPP/12; 13; 15; 17; 18; 25):

“For too long the Transpennine corridor has operated on ageing infrastructure not designed for today’s mixed traffic demands, especially intermodal rail freight... The Transpennine corridor will open a viable East-West axis to meet the needs of intermodal freight moving between the industrial centres of the north of the UK and mainland Europe, via the East Coast’s important short-sea ports... The TRU upgrade, and this order will unlock new growth opportunities by enabling commercially and operationally viable rail freight services to be developed. It will provide confidence in future business decisions to invest private capital by rail freight operators and supply chain customers into assets and other enabling infrastructure, including rail freight interchanges, which will support meeting our sustainability objectives”.

38. As the Association of British Ports (SUP/23) explains:

“The availability of viable routes via infrastructure availability provides the catalyst for wider cumulative growth and investment by the private sector... The key is [to] spark this catalytical cycle of success and take a long term perspective.”

39. The objections that remain are directed not at the principle of improvement - which appears to be accepted on all sides - but at specific elements of its implementation. Network Rail will say that the benefits of the scheme constitute the backbone of a compelling case in the public interest justifying the making of the Order, and that the adverse impacts which may arise are justified and proportionate.

Compliance with relevant policy

40. The Order Scheme, as a component of the TRU, is fully supported by local, regional and national policy.

41. At the national level, the social, economic and environmental benefits of the Scheme accord with the National Planning Policy Framework's (NR38) presumption in favour of sustainable development, and its support for sustainable transport. The Order Scheme is also consistent with the aims of the National Networks National Policy Statement (2024)¹⁴, which emphasises the role of transport infrastructure in driving sustainable growth. The positive economic impacts of the Order Scheme accord with the Government's desire for the planning system to facilitate the building of a strong and competitive economy.
42. At the regional level, the Order Scheme furthers strategic transport policy. The Places for Everyone Joint Development Plan, adopted by Greater Manchester Combined Authority in March 2024 (NR45), supports low-carbon, connected transport, rail improvements (including electrification), and sustainable freight. By delivering an improved, more reliable and more sustainable rail network within Greater Manchester, the Order Scheme clearly accords with and furthers regional transport policy.
43. At the local level, the Order Scheme complies with the development plans for the area. By improving reliability, increasing capacity and reducing risk to the public by eliminating level crossings, the Scheme will satisfy those policies seeking to contribute to low-carbon economic growth and promoting sustainable travel in the region.

Impacts

44. The challenges of the Pennine landscape which faced the Victorian engineers have not gone away. If anything, the proliferation of development around the railway since then has made improvement more difficult. The Inquiry will see with its own eyes the challenges of accessing the Order Route to implement railway improvement works.
45. Some adverse impact is inevitable for a scheme of this kind in a challenging Pennine environment - whether to heritage assets, highways, or private rights. The Inquiry will, rightly, scrutinise these impacts, the Objectors' concerns, and the case in support of the

¹⁴ NR35.

Order. Network Rail is confident that such impacts are justified, proportionate, and have been minimised insofar as they reasonably can be.

46. At this juncture, we set out Network Rail's general position on (a) the impact on landowners, (b) the need to close level crossings, (c) the need to modify some heritage assets on the line, and (d) environmental impacts.

(a) The need to acquire rights over land

47. Much of the Order Scheme can be carried out on operational railway land owned or controlled by Network Rail.¹⁵ But a scheme of this size inevitably requires acquiring temporary or permanent rights over third party land. Network Rail acknowledges that this is a serious step for affected landowners, and that the Inspector and Secretary of State must be satisfied that there is a compelling case in the public interest to justify such acquisition.
48. The Inquiry will consider these issues in detail in the coming weeks, but four overarching points should be borne in mind when considering that detail.
49. Firstly, as explained by Nigel Billingsley,¹⁶ all the areas of land and rights which are sought in the draft Order are necessary for the delivery of the scheme. All of the land (or rights over land) included in the Order is required for the construction, operation, or maintenance of the Order Scheme. The compulsory acquisition is therefore directly required to realise the transformational benefits of the Order Scheme and TRU. The benefits of the Scheme, Network Rail submits, provide a clear and compelling case in the public interest to justify the proposed acquisitions.
50. Secondly, and relatedly, in preparing the Order, Network Rail has sought to limit the level of acquisition to the minimum required to facilitate delivery of the Order Scheme.
51. Thirdly, Network Rail has engaged extensively with affected landowners, again as explained in the evidence of Nigel Billingsley. Agreements have been reached with many

¹⁵ NR SoC, para 12.6.4.

¹⁶ NR-PoE-NB-8.2.

of those affected. Network Rail will continue to engage with affected owners throughout the Inquiry.

52. Fourthly, compensation for affected landowners will be available in the normal way, and Network Rail will seek to settle compensation claims in a timely and reasonable manner.
53. In light of the clear and profound benefits of the Order Scheme, Network Rail will submit that there is a clear and compelling case in the public interest for compulsory acquisition of the lands and rights in question.
54. Regarding open space, powers of compulsory acquisition are sought over two plots totalling 200.27 square metres¹⁷. This land comprises small, wooded areas with limited accessibility for informal recreation. Network Rail will say that, for the purposes of the grant of a certificate under s. 19(1)(b) of the 1981 Act, the acquisition of these two plots will not materially impact the recreational value of the larger area of open space within which it is situated. Further, rights are sought over a third plot totalling 146.05 square metres.¹⁸ This is a small, wooded area, forming part of a larger area of open space. It has limited accessibility. Network Rail seeks rights for the construction and maintenance of a vehicular passing bay. We submit that, for the purposes of a certificate under paragraph 6(1)(a) of Schedule 3 of the 1981 Act, the acquisition of the rights would not render the use of this land (and in turn the larger area of open space) any less advantageous.
55. Notably, no objections or representations were received in response to the Secretary of State publishing notice of intention to grant the open space certificates sought on 27 November 2025 (NR28).

(b) The need to close level crossings

56. Level crossings represent the highest single risk on the railway network.¹⁹ To eliminate this risk, Network Rail has an established strategy of seeking to close level crossings

¹⁷ Plots 10-002B and 10-012.

¹⁸ Plot 10-007.

¹⁹ See the evidence of Jerry Greenwood NR-PoE-JG-9.2 and James Doodson NR-PoE-JD-10.2.

where possible. Consistent with this strategy, the Order seeks to permanently close two level crossings on the Order Route: Moorgate Halt and Stockport Road.

57. Moorgate Halt is already closed under a temporary traffic regulation order because of concerns with safety arising from changes to signalling in the area. Of the 457 level crossings on the North West Route, it is ranked as 23rd highest risk.²⁰ If one compares it to 75 crossings of a similar type, it is ranked 5th highest.²¹ The Order Scheme would increase that risk, given the increase in both speed and frequency of trains.
58. No objector maintains that the current crossing should be re-opened, and this is reflected in the Statement of Common Ground with Mr Lawton (NR/SOCG/OBJ/117). The dispute concerns what should be provided as an alternative. Network Rail proposes that users are routed over the railway via Wickens Underpass, located around 200m to the south of the Moorgate Halt crossing. The alternative route passes over FP244 SADD. While currently in poor condition, Network Rail proposes a comprehensive upgrade of footpath 244 SADD so that users of the existing Moorgate Halt crossing have a safe and convenient alternative. Indeed, as Mr Barraclough will explain, the proposed changes to footpath 244 SADD result in an improvement in terms of quality of route and accessibility when compared with the existing footpath 209 SADD. Network Rail also proposes improvements to the highway environment on the A670 Oldham Road, where concerns about a narrow section of footway are raised against the diversionary route.
59. The suggestion from objections that a footbridge should be constructed at the location of the existing level crossing fails to pay sufficient attention to challenges of constructing a bridge in such a location, and the very substantial costs of doing so. This solution is not proportionate, cost-effective or necessary. The Inspector and in due course the Secretary of State will have to weigh up the merits of a substantially improved FP 244 SADD and traffic calming measures on the A670 Oldham Road, against a multi-million pound investment in a new footbridge at Moorgate Halt. Network Rail's view is that the balance lies clearly in favour of the upgrade to FP 244 SADD and against being required to construct a footbridge.

²⁰ NR-PoE-JD-10.2, para. 3.4.2.

²¹ Ibid.

60. Stockport Road crossing suffers from similar risks to those at Moorgate Halt. Trains pass at speed, visibility is poor, and there is no warning of approaching trains. Risk will only increase if the Order Scheme is carried out. Network Rail proposes a diversionary route along the bottom of the adjacent field, before connecting with existing PROW (bridleway MOS/69/20) and then passing under the existing Midge Hall underbridge (MVL3/19). The diversion amounts to approx. 180m.
61. Network Rail will show that this is a safe and proportionate alternative, demonstrably in the public interest. While the owner of the field raises objections to the impact of the diversion running through his field, the route will run close to the boundary, and livestock can be protected by the construction of a fence (for which compensation will be payable).
62. Network Rail will say that the closure of both crossings is clearly justified, and that safe and appropriate alternative routes are built into the Order Scheme.

(c) The changes to heritage assets

63. As we have set out above, the Order Route is a Victorian railway. There are various historic structures on the Order Route from this time, many of which are designated heritage assets. As Sandra Honeywell explains, the Order Scheme involves intervention in 10 Grade II listed buildings.²² One building will be lost (Wright's Overbridge, MVL3/23) and “substantial harm” (in policy terms) will occur to a further four buildings, all railway bridges. “Less than substantial harm” would result to the remaining five listed buildings. The works to listed structures are all necessary to facilitate the Order Scheme, and the electrification of the Order Route in particular.
64. The harm resulting from the proposed interventions has been minimised as far as possible through a heritage-led design approach, including the use of natural stone cladding for reconstructed bridges, the salvage and reuse of stone from demolished structures, and the recreation of architectural features. As a further measure of mitigation, archaeological recording of affected listed bridges will be undertaken, and a scheme of permanent heritage interpretation will be developed and installed adjacent to Greenfield Station,

²² See Table 7-1 in the Statement of Case, para. 7.2.2.

providing the opportunity to engage members of the public with the heritage of the Huddersfield & Manchester Railway.

65. Historic England has not objected to the Order on heritage grounds. Indeed, it has signed a statement of common ground (NR/SOCG/Historic England) agreeing, among other things, that the harm to the affected heritage assets is justified. Neither of the local planning authorities has raised an objection on heritage grounds.
66. A round table session on heritage is scheduled to assist the Inquiry. Network Rail will say that there is a clear and convincing justification for the heritage harm caused by the Order Scheme – the significant improvements to the Order Route and wider Transpennine Railway. The substantial public benefits of the Order Scheme outweigh the harm caused to the significance of designated heritage assets, in accordance with the requirements of the NPPF.

(d) The need to intervene in the natural environment

67. The Order Scheme is not “EIA development” as confirmed in the Secretary of State’s screening decision dated 22 March 2024 (NR13).²³ Nonetheless, the Order Scheme has been the subject of detailed environmental assessment, and Network Rail has submitted an Environmental Report (NR14) with the application to examine the environmental effects of the Order Scheme.
68. In accordance with the risk mitigation hierarchy, mitigation measures proposed through the Environmental Report prioritise avoiding risks, reducing risks, offsetting the impact and then compensation. Where possible, environmental effects have been avoided through embedded mitigation developed as part of the design of the Scheme. Examples of embedded mitigation include the reuse of materials reclaimed from demolished bridges in the reconstruction of others, various design refinements to minimise de-vegetation, and the design of bridges and structures to be sympathetic to local context.

²³ That is, development of a kind which triggers the assessment requirements under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

69. In respect of ecology and biodiversity, the layout of the Order Scheme has been designed to make use of habitats of low ecological value where available, with emphasis on ecological sensitivity, incorporating embedded mitigation measures to avoid or minimise adverse impacts on biodiversity. Further, Network Rail has committed to securing a 10% Biodiversity Net Gain.²⁴ The ecological evidence of Will Horlock addresses these matters.
70. Compliance with a Code of Construction Practice (“**CoCP**”) will be secured by a condition on the deemed planning permission.²⁵ The CoCP will act as an environmental management framework for construction, setting out the relevant measures and standards to be followed throughout the construction period, and subject to the approval of the local planning authorities, will provide for the detail of the delivery of management controls on site. Controls to minimise noise and vibration effects during construction are secured through the CoCP and the deemed planning conditions.²⁶
71. Construction traffic will be managed and effects mitigated by the submission and approval of a Construction Traffic Management and Travel Plan. Network Rail has also proposed the creation and operation of a Highways Management Working Group between Network Rail and both Tameside and Oldham Councils for the purposes of overseeing the implementation of mitigation measures.²⁷
72. In summary, and as Mr Horlock will explain, with the implementation of the proposed mitigation measures, no significant adverse residual construction, operational, or decommission effects are anticipated as a result of the Order.²⁸ Indeed, the Order scheme’s biodiversity proposals will enhance the existing ecology of the local area.
73. Particular concerns have been raised about the use of land at Brookfields for construction of Mossley Station. It is necessary to use some of that land, but Network Rail has now advanced its plans to be able to give definitive assurance that the area of land required can be substantially reduced, and to commit to far more limited vehicle movements in

²⁴ See Planning Condition 6 in Appendix 2 to NR11.

²⁵ See Planning Condition 6 in Appendix 2 to NR11.

²⁶ Specifically, CoCP Part A, section 8, and condition 6(c)(v).

²⁷ NR SoC, para. 11.10.4.

²⁸ NR-PoE-WH-7.2 , para. 3.5.2.

the tight residential streets around Mill Street (see NR148). These commitments demonstrate both that the construction impacts can be managed to an acceptable level, and that Network Rail will proactively respond to community concerns to ensure that the major benefits of the Order Scheme do not come at too great a cost for the communities most affected by construction.

Conclusion

74. There is a compelling case for making the Order to allow the Order Scheme to be delivered. The Order Scheme's benefits are clear and they are profound. This is a once-in-a-generation opportunity to bring this vital section of the Transpennine Railway into the modern age - to make it capable of serving the passengers, freight operators and communities of the North, rather than holding them back. No objector challenges this fundamental proposition.
75. The issues that remain for this Inquiry concern the details of implementation, not the principle. Network Rail is confident that those details can withstand scrutiny, and that the impacts of the scheme are justified, proportionate, and have been minimised insofar as they reasonably can be.
76. At the conclusion of the Inquiry, Network Rail will invite the Inspector to recommend that the Order be made, and associated consents granted, to ensure that this much needed upgrade to this vital section of the Transpennine Railway can proceed.

Richard Turney KC

Harley Ronan

Landmark Chambers

9 June 2026