

Comments from Kirklees Council Public Rights of Way (KC PROW) (PC)

Application Ref: 2022/44/93945/W

Proposal: Discharge conditions 5, 6, 10 of the Deemed Planning Permission granted by the Department for Transport in relation to The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order 2022, Stage 2 of the Development

[This relates to Stage 2 – scheme-wide compound set up]

Comments from KC PROW relate solely to condition 6 - Construction Traffic Management Plan – Stage 2.

Stage 2 CTMP describes the temporary stopping up of public footpath HUD/338/10 for periods up to approx. 4 years and temporary diversion of part of Birkby Bradley Greenway (NCN 69) with permanent retention of the diversion route. This will be achieved under protocols in the Highways Agreement accompanying the TWAO, by notice to the local authority via the Highways Network Management Working Group. The temporary stopping up of streets is covered by Schedule 3 of the Agreement, pursuant Article 16 of the Order. The permanent stopping up / diversion of existing streets will follow protocol described in Schedule 4 of the agreement pursuant to Article 14 of the Order.

Insofar as the details relate to Public Rights of Way affected by Stage 2, we consider that the condition can be partially discharged as requested.

The following additional observations are made for the benefit of the applicant:

Footpath HUD/338/10: between Alder Street and Lower Viaduct Street may currently be physically obstructed at industrial premises at railway arches beneath and to either side of the viaduct but does not appear to have been legally stopped up. Reinstatement and reopening of the footpath is expected following completion of works at Huddersfield Viaduct.

Birkby Bradley Greenway (NCN 69): Formal procedures for permanent diversion of part of Birkby Bradley Greenway are understood to be underway, following protocols under the Highways Agreement and the Order.