

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

**Town and Country Planning (General Permitted Development) (England)
Order 2015 - Schedule 2, Part 18, Class A1**

**DELEGATED DECISION FOR DISCHARGE OF CONDITION A1 -
NOTIFICATION OF A PROPOSED DEVELOPMENT UNDER LOCAL OR
PRIVATE ACTS OR ORDER**

Reference no. 2023/CL/91857/E

**Site Address Dewsbury Railway Station,
Wellington Road, Dewsbury,
WF13 1HF**

**Description Prior approval for alterations to
Dewsbury Railway Station (Listed
Building within a Conservation
Area)**

Recommending Officer Louise Bearcroft

DECISION – DETAILS APPROVED

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Kevin Walton

AUTHORISED OFFICER

Date: 14-Aug-2023

Application Site

The application site comprises Dewsbury Railway Station. The station is Grade II listed and was constructed for the London & North-Western Railway Company in 1848 with later extensions and alterations.

The existing station complex consists of the main two-storey station building, with the former waiting rooms (now the West Riding Public House) attached at the southern end. Within the station are two platforms, 1 (to Leeds) and 2 (to Huddersfield). The platforms are connected by a footbridge which was constructed in the 1880's to replace a subway which was infilled. Partially glazed canopies provide shelter on each platform which are supported on decorative cast iron columns, these were added in the 1880's when the station was upgraded and truncated in the late 20th century. On platform 2 is a modern glass waiting shelter beneath the canopy, along with a metal framed panelled cycle store further along the platform.

The site is located within the Dewsbury Town Centre Conservation Area, with the platforms extending beyond the conservation area boundary.

Proposal

The proposal seeks prior approval for alterations to Dewsbury Railway Station which are required as part of the Transpennine Route Upgrade (TRU) Programme. The proposed works are listed below:

Platforms

The existing platforms will be extended and resurfaced to accommodate longer rolling stock. A 52m extension to platform 2, and a 15m extension to platform 1 would continue the existing platforms to the south-west of Ashworth Road Underbridge. A further 35m extension to Platform 1 will continue the platform to the north-east of the station buildings. The platforms will be finished in GRP surfacing and tactile paving is proposed throughout. A new fence is proposed on platform 2 to demarcate an area of non-operational platform, and furthermore the plans indicate a new waiting shelter is proposed on platform 2.

Canopies

An extension of the existing canopies to both platforms is proposed to comply with operational standards and provide an enhanced station environment. To the rear of the canopy on platform 2 an extended retaining wall adjacent to the car park is proposed which would be constructed of clear glass with manifestation.

Footbridge

It is proposed to strengthen the existing footbridge and to fully enclose the northern elevation (Leeds side) with new GRP cladding panels and lockable casement windows to comply with safety requirements. General strengthening of the footbridge is also proposed to comply with safety standards, including the replacement of roof portals with more substantial sections in the same design, incorporating structural GRP panels within the roof structure and steel plates to strengthen the lattice truss girders.

A separate Listed Building Consent application has been previously submitted and granted for the proposed works (application ref 2022/91212). At the time of this submission, the applicant confirmed that the proposed new waiting room and provision of overhead line equipment are permitted development

under the provisions of Part 8 of the under Part 18 (A) of Schedule 2 of the Town and Country (General Permitted Development Order) (England) 2015 (GPDO). Furthermore, the applicant has confirmed the proposed alterations to the disused subway do not form part of this prior approval, being that they do not materially impact the external appearance of the station. These elements of the scheme therefore, whilst being shown on the submitted plans, are not to be considered as part of this prior approval application.

Relevant Planning History

- 2008/90295 Listed Building Consent for alterations to the entrance doors – Refused
- 2008/92950 Listed Building Consent for alterations to the entrance doors – Granted
- 2012/93812 Listed Building Consent for anti-trespass fencing and floor mounted guards –Granted
- 2015/92959 Listed Building Consent for erection of cycle shelter – Granted
- 2017/92488 Listed Building Consent for installation of automatic ticket gates - Granted
- 2019/93681 - Listed Building Consent for installation of waiting shelter on platform one – Granted
- 2022/91212 – Listed Building Consent for works including platform extensions and re-surfacing, extended canopies to both platforms and screening to rear wall of Platform 2, new waiting shelter on platform 2, strengthening of footbridge and full enclosure to Leeds-side elevation, alterations to disused subway, provision of overhead electric catenary throughout the station, new lighting and public address system (within a Conservation Area) – Granted

Background

The proposed works are part of the Transpennine Route Upgrade (TRU) programme. The TRU programme is a rail enhancement programme established to increase capacity and improve reliability/journey times between Manchester Victoria and York, via Huddersfield and Leeds.

Dewsbury Station falls within the route section known as 'W4'. The upgrade works which fall within this route section are not part of a Transport and Works Act Order. The Council has previously screened the wider 'W4' proposal and concluded an Environmental Impact Assessment would not be required for the works in the Kirklees District. Consequently, Network Rail can utilise their permitted development rights for the proposed upgrade works.

This application seeks prior approval for the proposed works listed above at Dewsbury Railway Station. As noted, a Listed Building Consent application has been previously approved for the proposed works, application ref 2022/91212.

Procedural Matters

The applicant has submitted prior notification of the works under Part 18 (A) of Schedule 2 of the Town and Country (General Permitted Development Order) (England) 2015 (GPDO).

Part 18 of the GPDO (Miscellaneous development) states: -

Permitted development

A. Development authorised by—

(a) a local or private Act of Parliament,

(b) an order approved by both Houses of Parliament, or

(c) an order under section 14 or 16 of the Harbours Act 1964 (orders for securing harbour efficiency etc, and orders conferring powers for improvement, construction etc of harbours)([1](#)),

which designates specifically the nature of the development authorised and the land upon which it may be carried out.

Conditions

A.1 Development is not permitted by Class A if it consists of or includes—

(a) the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam; or

(b) the formation, laying out or alteration of a means of access to any highway used by vehicular traffic,

unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.

A.2 The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—

(a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or

(b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

Such development is permitted subject to it benefiting from a local or private act or order and prior approval being granted by the appropriate authority. In this case the enabling Act in the Huddersfield & Manchester Railway & Canal Act 1845, which incorporates clause 16 of the 1845 Railway Clauses Consolidation Act. The original Act specifying this stretch of railway states that the railway undertaker can, from time to time, alter, repair, or discontinue the before mentioned works or any of them and substitute others in their stead, and do all other acts necessary for making, maintaining altering, repairing or using the railway.

In light of this, it is therefore considered that the proposed works would benefit from permitted development rights under the aforementioned part of the GPDO.

Assessment

Part 18 A.2 of the aforementioned Order states:

“The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are condition to be imposed unless they are satisfied that–

- (a) the development (other than the provision of works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- (b) the design or external appearance of any building, bridge, aqueduct pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

In respect of part (a) the site is an existing railway station and the proposed works to extend the platforms and canopies, and to strengthen and enclose the northern side of the existing footbridge cannot therefore be reasonably located elsewhere.

In respect of part b) elements of the proposal are assessed below in respect of the amenity of the neighbourhood. The station is partly located within the Dewsbury Town Centre Conservation Area and the station buildings are grade II listed.

Platform extensions and resurfacing

The layout of the platforms has remained largely unchanged since the 1880's, with the riser walls constructed in coursed stonework. These walls slope downwards at each end towards track level, with a string course of stonework following the line of the slope at each end. The existing platform walls are in poor condition, with open joints to the stonework of the retaining walls and some spalling, and the platforms have been resurfaced in asphalt, with no surviving historic surfaces evident.

The proposal is to extend the station platforms to accommodate longer rolling stock. The masonry of the proposed platform extension walls will be in pre-cast concrete units with stone slip cladding to match the existing, with the platform extensions finished in GRP surfacing. Conservation and Design have previously concluded in the granted listed building consent application for the works that the historic surfacing is no longer evident, and the proposed surface will provide a safe, non-slip surface which is an acceptable proposal. They concluded the public benefit of providing improved facilities at the station outweighs the slight harm caused by alterations to the historic platforms. As part of the Listed building Consent a condition was imposed to ensure that the historic string courses are retained, this condition will be repeated in the interest of securing appropriate design and to protect amenity of the neighbourhood.

The nearest neighbouring residential properties are located to the north-west of the station. It is considered the proposed extensions to the existing platforms would not result in a detrimental impact on the amenity of these neighbouring properties. This assessment has considered the existing station environment and the length of the proposed extensions relative to the existing platforms, the levels of the surrounding area, and the existing substantial

retaining wall to the rear of Platform 1 which forms a boundary between the station/tracks and the neighbouring residential properties.

In respect of crime prevention measures British Transport Police note the platform extensions have a platform end fence line and an authorised rail staff locked access gate and steps on the rail side of the fence leading down to the lineside rather than a platform end ramp. They support this option aimed to remove the opportunity for a person to trespass on the railway by walking down the ramp to access the operational rail lines. They go on to say any gantry or support installed on the station platform for the high voltage Overhead Line Equipment (OHL) powered to 25,000 volts should be fitted with an anti-climb device aimed to deter and prevent use of the structure as a climbing aid for a person to reach the OHL. It is noted the works to install OLE do not form a part of this application.

A new waiting shelter is proposed to replace the existing shelter on platform 2, to be located further along the platform to align with the position that trains will stop. The details of this were considered as part of the Listed Building Consent and concluded to have a neutral impact. The applicant has confirmed that this is to be delivered under the provisions of Part 8 of the under Part 18 (A) of Schedule 2 of the Town and Country (General Permitted Development Order) (England) 2015 (GPDO) and is not a matter for consideration as part of this Prior Approval.

Extended canopies to both platforms

The proposal seeks to extend the canopies to comply with operational standards and to provide an enhanced station environment, encouraging passengers to use the entire platform in inclement weather, as well as improving passenger comfort and safety by providing additional shelter. A large section of the canopy on Platform 1 was removed in the late 20th century, with a 40m length surviving, whilst most of the 1880's canopy still survives along Platform 2.

In the Heritage Statement submitted with the Listed Building Consent application, it is noted various options were considered with regards to the lengths of the canopy extensions and column positions. The Conservation and Design officer has previously concluded that the canopy lengths are justified as they will improve passenger comfort and safety on the platforms with no harm to the historic fabric or the existing structures. The extensions will take design cues from the existing, albeit with simpler detailing so that they can be distinguished from the historic canopies.

The proposed columns are set further back further from the platform edge than the existing, creating a staggered line which will disrupt the rhythm of the historic column positions and spacings. Ideally the new columns would follow the line of the existing to provide continuity, however current accessibility design standards require a minimal distance between structures and the platform edge, so the columns need to be set back further than the existing.

The Conservation Officer has previously concluded that this would have a minor impact on the significance of the historic platform layout, with the public benefit of complying with regulations to ensure a safe environment outweighing this slight harm.

The design of the proposed canopy structure on Platform 2 responds to the existing, taking cues from the architectural form while using a contemporary approach that allows the historic elements to remain legible. The proposed canopy on Platform 1 reinstates a historic canopy that had previously been removed, with similar detailing and form. The Conservation and Design section raise no objections.

To enable the canopies to be extended, the existing cycle shelter will need to be relocated. An informal discussion was held with the Highways Development Management who require details of replacement provision to be secured. As per the Listed Building Consent this will be included as a condition, to ensure that cycle shelter provision remains adequate at the station and in the interest of securing appropriate design and to protect amenity of the neighbourhood.

A glazed screen with etched artwork is proposed to the rear of the extended shelter and following the line of the historic stone wall of the original station building. Concerns have been previously raised by Conservation and Design about its maintenance and the visual impact on the character of the conservation area and therefore simple metal railings were suggested instead. A condition was applied requiring details of the screen to be submitted for approval and it is considered appropriate to repeat this condition in the interest of securing appropriate design and to protect amenity of the neighbourhood.

It is considered the proposed extensions to the canopies would not result in a detrimental impact on the amenity of any neighbouring properties.

Strengthening of the footbridge and full enclosure to the Leeds side elevation

The existing footbridge is a wrought iron structure with an iron portal frame and a lattice web connecting the main structural chords. The deck, canopy and window frames are in timber and the deck is surfaced in a modern non-slip membrane. The south elevation incorporates windows along the footbridge, while the north elevation is open sided. The statement of significance submitted with the Listed Building Consent states that there were originally windows on both sides of the footbridge, with the windows on the Leeds side removed in 1988. The proposal seeks to reinstate windows on this elevation in the same design and materials as the late 19th century windows on the south elevation. This will comply with safety requirements to ensure that the OLE installation cannot be reached from the footbridge and will also reinstate a historic detail.

Strengthening of the footbridge is also proposed to comply with safety standards. This includes the replacement of roof portals with more substantial

sections in the same design, incorporating structural GRP panels within the roof structure and steel plates to strengthen the lattice truss girders. Conservation and Design section have previously concluded that the replacement of historic sections and introduction of modern materials will lead to less than substantial harm to the significance of the structure. However, these interventions are discreetly placed and based on recommendations following a structural assessment, in which strengthening and stabilising the structure are justified to ensure its longevity and to remain in use. The design, detailing and colour palette will replicate the existing to minimise the harm.

The flooring will be in waterproof GRP with a non-slip finish, with the underside of the footbridge and steelwork painted in a resistive coating to prevent electric conductivity.

British Transport Police note that the areas of the station foot bridge metalwork are planned to be replaced due to ageing. They note the public access bridge crossover between the station platforms is an enclosed structure and have no comments to offer.

It is considered the proposed alterations to the footbridge would not result in a detrimental impact on the amenity of any neighbouring properties.

Other Matters

Network Rail intend to install new lighting and a public address system. A condition was imposed on the listed building consent application requiring full details as details of the proposed equipment had not been submitted. Network Rail were asked to confirm the consenting route and have confirmed that this will be delivered under the provisions of Part 8, Class A of Schedule 2 of the Town and Country (General Permitted Development Order) (England) 2015 (GPDO) and does not form a part of this prior approval application.

An information consultation request was undertaken with the Council's ecologist for reason that the site constraints indicate there are records of nesting Swift within the area. The Council's ecologist has noted that given that there are records of nesting Swift they recommend a condition that no site clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the site for active birds' nests immediately before works take place and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. As this is a prior approval application to consider only whether the works could be reasonably sited elsewhere or whether the design or external appearance would injure the amenity of the neighbourhood, this will be included as an advisory note. The applicant is required to conform to the reminder that they have to conform to the Countryside and Wildlife Act 1981 in any case.

The granting of prior approval under Part 18 of the GPDO would not grant consent to undertake these works without other necessary consents being sought and in place.

4. Recommendation

Grant prior approval for the works

Report Dated: 10 August 2023

Decision Notice Text

The Council considers that the works detailed in the above application are permitted development under Part 18(A) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and that Prior approval for the development is hereby granted subject to the following conditions:

1. Prior to the removal of the existing cycle storage on Platform 2, proposals for replacement cycle storage provision, including the design, materials and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the replacement cycle storage provision shall be provided within 3 months of the existing cycle storage being removed in accordance with the approved details and be retained.

Reason: To ensure the provision of adequate cycle storage at the station and in the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Policies LP21, LP22, LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

2. Notwithstanding the information submitted, no work shall take place to install the proposed wall-top barrier between Platform 2 and the station car park until full details of the proposed barrier have been submitted to and approved in writing by the Local Planning Authority. Details shall include scale drawings showing the design, materials, colour and fixing methods of the barrier. Thereafter the proposed barrier shall be undertaken in accordance with the approved details and be retained.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework

3. The stone string courses which form part of the platform retaining walls, and the platform ramps themselves, shall be retained, including the sections which taper towards the ends of the existing platforms. New masonry for the construction of the extensions shall incorporate these string courses and the ramp formations, to allow the historic platform detailing and lengths to remain legible.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the

National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

4. Prior to works commencing to the platform extensions, details and materials of the proposed paving, steps and fencing at the platform ends, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details and be retained.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Prior to the canopy extensions being installed, the detailed design of the columns and column connections for the canopy extensions on Platforms 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details and be retained.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

NOTE: Given the presence of nesting Swift within the area it is advised no site clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the site for active birds' nests immediately before works take place to ensure that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Covering letter	TP/LNE/2023-108		21.06.23
Key Plan	151667-TSA-40-MDL1-DRG-T-LP-160001	P01.1	21.06.23
Existing Roof Plan	151667-TSA-40-MDL1-DRG-T-LP-160002	P01.1	21.06.23
Existing General Arrangement	151667-TSA-40-MDL1-DRG-T-LP-160003	P01.1	21.06.23
Existing Elevations	151667-TSA-40-MDL1-DRG-T-LP-160004	P02	21.06.23
Existing Sections	151667-TSA-40-MDL1-DRG-T-LP-160005	P01.1	21.06.23

Proposed Elevations	151667-TSA-40-MDL1-DRG-T-LP-160006	P03	21.06.23
Proposed Sections	151667-TSA-40-MDL1-DRG-T-LP-160007	P03	21.06.23
Block Plan	151667-TSA-40-MDL1-DRG-T-LP-160009	P01.1	21.06.23
Existing & Proposed Platform Arrangement	151667-TSA-40-MDL1-DRG-T-LP-160010	P01	21.06.23
Proposed Platform Sections	151667-TSA-40-MDL1-DRG-T-LP-160011	P01	21.06.23
Proposed General Arrangement	151667-TSA-40-MDL1-DRG-T-LP-160012	P03	21.06.23
Canopy Sections	151667-TSA-40-MDL1-DRG-T-LP-160015	P01	21.06.23
Proposed Canopy Details	151667-TSA-40-MDL1-DRG-T-LP-160017	P01.1	21.06.23
Proposed Canopy details sections and connection details	151667-TSA-40-MDL1-DRG-T-LP-160018	P01	21.06.23
Proposed Detail of Treatment rear of Platform 2	151667-TSA-40-MDL1-DRG-T-LP-160019	P01.1	21.06.23
Footbridge Existing General Arrangement	151667-TSA-40-MDL1-DRG-T-LP-160021	P01.1	21.06.23
Footbridge Existing Elevations	151667-TSA-40-MDL1-DRG-T-LP-160022	P01.1	21.06.23
Footbridge Existing Sections	151667-TSA-40-MDL1-DRG-T-LP-160023	P01.1	21.06.23
Proposed Roof Plan	151667-TSA-40-MDL1-DRG-T-LP-160024	P01.1	21.06.23
Footbridge Proposed General Arrangement	151667-TSA-40-MDL1-DRG-T-LP-160025	P01.1	21.06.23
Footbridge Proposed Sections & Details (1)	151667-TSA-40-MDL1-DRG-T-LP-160026	P01.1	21.06.23
– Footbridge Proposed Sections & Details (2)	151667-TSA-40-MDL1-DRG-T-LP-160027	P01.1	21.06.23
Footbridge proposed enclosure details	151667-TSA-40-MDL1-DRG-T-LP-160028	P01.1	21.06.23

Location Plan	151667-TSA-40-MDL1-DRG-T-LP-160008	P01.1	21.06.23
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Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The applicant was asked to clarify which parts of the proposed works shown on the plans are excluded from this Prior Approval application as they would be delivered under a separate consenting mechanism.