
Sent: Thursday, August 22, 2024 3:11 PM

Subject: RE: Attached letter from Kirklees Council regarding application number 2024/90899 at location Newlay Concrete, Thornhill Works, Calder Road, Ravensthorpe, Dewsbury, WF12 9HY

For clarification I understand the Council seeks a formal opinion by NR on the application by Newlay for their development. I can confirm that we have no objection in principle to the scheme. We have mentioned below the requirement to amend the red line boundary to reflect the position as regards permanent land take. Given the existing dialogue that takes place between Newlay and the Ravensthorpe construction team we do not consider it necessary to include a specific condition relating to liaison with Network Rail during the construction period, but an informative should be included along the following lines:

Works in Proximity to the Operational Railway Environment

Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed may include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works. We would also like to advise that where any damage, injury or

delay to the rail network is caused by construction works or future maintenance (related to the application site), the applicant or developer will incur full liability. This could also include police investigation as it is a criminal offence to endanger the railway or obstruct the passage of rail traffic. It should also be noted that any damage that requires a line closure or repairs can result in costs which could exceed hundreds of thousands of pounds.

Contact details for Asset Protection are supplied below and **we would draw the developers' attention to the attached guidance on Network Rail requirements.**

The application must be supported by a site-specific Construction Methodology should it not possible to satisfy Network Rail's requirements recommended in the attached. The council should satisfy itself, without consulting Network Rail, that there are good reasons why the recommended requirements cannot be adhered to.

Asset Protection Eastern

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email

assetprotectioneastern@networkrail.co.uk.

Yours Faithfully

Tony Rivero



Tony Rivero BSc (Hons) MRTPI
Town Planning Manager LNE/EM
Network Rail Land & Property (Eastern)
George Stephenson House
Toft Green, York, YO1 6JT

E tony.rivero3@networkrail.co.uk

www.networkrail.co.uk/property