

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED BUILDING CONSENT

Reference No:	2025/65/90117/E
Site Address:	Bridge (MDL1/24), Jack Lane, Hanging Heaton, Dewsbury
Description:	Listed Building Consent for replacement of existing bridge deck with a steel and reinforced concrete deck, replacement of existing parapet and repair work to the wingwalls.
Recommending Officer:	Louise Bearcroft

DECISION – CONSENT GRANTED

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.

Helen Bower

AUTHORISED OFFICER

Date: 24-Apr-2025

Site Description

The application relates to the Grade II listed railway Underbridge MDL1/24 Jack Lane. As per the name, the bridge is located over Jack Lane, which is accessed off the A652 Bradford Road from the west, and from Commonsides/Peter Hill from the east. It is located approximately 1km northeast of Dewsbury Station.

The bridge was designed by Thomas Grainger who is the attributed architect for many of the railway structures along the Leeds, Dewsbury and Manchester Railway line. The Bridge is a shallow arched cast-iron level bridge with sandstone piers and a later deck. The bridge is faced with ashlar stone on both sides, with the abutments constructed with rusticated stone blocks, and has a cast iron balustrade.

Proposals

The application is for Listed Building consent for the removal of the existing bridge deck and its replacement with a new steel and reinforced concrete deck, together with the replacement of the existing parapet, and repair work to the wingwalls.

Relevant Planning History

None

History of negotiations / amendments received

Officers negotiated with the applicant to clarify the following matters:

- Whether the stone cornice is to be lost in its entirety or just a central section to be replaced in concrete and detailed to match the stone cornice
- Cleaning- whether the jet washing includes the full extent of stonework in the vicinity i.e. all wingwalls etc not just under the bridge itself.
- Why can the handrail not be reinstated and why is a new 'matching' one proposed.

Access Considerations

None.

Climate Change Emergency

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target,

however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal to replace the existing bridge deck and parapet will facilitate the Transpennine Route Upgrade, which includes the electrification of the route with the associated potential to assist with the Climate Change Emergency. The specific works to replace the deck and balustrade will have negligible climate change implications.

Consultation Responses

National Amenities Societies – No response

WYAAS – I have studied the applicant's heritage statement and support the suggested mitigation measures of a Level 3 historic building survey. In addition to recording the structures as is the report should also address the historic development, engineering philosophy and materials employed.

Historic England

Significance - Jack Lane Underbridge (MDL1/24) is an important historic structure on the historic TransPennine Route (TRU) and continues to contribute to the operational railway network. It is an original and little altered 1840s underbridge constructed during the Heroic Age (1841-50) of railway building on what is not one of the main railway lines in the north of England. It was designed by the notable Scottish engineer Thomas Grainger, who worked extensively in England and Scotland. Jack Lane Underbridge is a good example of a mid-19th century cast iron underbridge, that is imposing in scale and displays craftsmanship in its construction and detailing. It reflects engineering practice of the time in utilising cast-iron shallow-arched girders. The bridge has group value with the other Listed structures designed by Grainger on the Leeds, Dewsbury & Manchester Railway line. It was designated a Grade II Listed building in March 2018.

Impact- The works will involve permanent alterations to bridge as a result of the removal and replacement of the existing early 20th century deck. We consider that the replacement of the bridge deck will retain the ability to appreciate the existing underbridge's historic appearance and character, whilst also ensuring its optimum viable use as an operational railway structure. In examining the level of harm from the proposals on the significance of Jack Lane underbridge, we agree with the Heritage Statement that this would be less than substantial harm under National Planning Policy Framework (NPPF, para 215). We welcome the methodology statement and materials details that have been supplied in support of the application. We are pleased to see that the pilaster capitals at the top of the pilasters on all four sides will be retained and the existing corner cill under the deck on all four corners are to re-use existing masonry. Also, we welcome the confirmation that pointing mortar will be undertaken in Lime mortar NHL5, to match existing. We agree with the proposal to undertake Historic Building recording

to a Level 3 standard, as defined in Section 5.2 of this WSI, in line with our guidance on recording within Understanding Historic Buildings: A Guide to Good Recording Practice working. Position We understand that the works are required as part of the wider TRU scheme. We consider that the harmful impacts on the significance of the listed bridge have been minimised and mitigated as far as reasonably possible.

Recommendation Historic England has no objection to the application on heritage grounds

K.C Conservation and Design – Informal Discussion - no objections.
Imposition of conditions recommended.

Public/Members Response

The application has been publicised by a site notice and a press notice, with the final publicity expiring 27.02.2025

No representations have been received as a result of this publicity.

Kirklees Local Plan Policy

LP1- Achieving Sustainable Development
LP2 – Place Shaping
LP24 – Design
LP35 - Historic Environment

National Policies and Guidance:

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which it possesses'.

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter 2 Achieving sustainable development

Chapter 12 Achieving well-designed places

Chapter 16 Conserving and Enhancing the historic environment

Assessment

The Jack Lane underbridge is listed at Grade II and is of national and local significance. As set out in the submitted documents, the line between Leeds and Manchester is currently undergoing line-wide route upgrades, TransPennine Route Upgrade. The works include the addition of overhead

line equipment (OLE) which will see the line completely electrified. As a consequence, the improvement work requires significant alterations and improvements to the existing infrastructure, and this has included the alteration and or removal of existing structures and replacement with structures to meet current requirements.

As set out in the application the Jack Lane bridge requires the deck to be replaced, to ensure the historic structure is capable of supporting the anticipated increase in line speed from 74mph to 100mph. The existing structure while being of high significance does not meet the current national requirements as set out by Network Rail.

Historic England note the bridge is an important historic structure on the historic TransPennine Route. It is an original and little altered 1840s underbridge constructed during the Heroic Age (1841-50) of railway building on what is not one of the main railway lines in the north of England. It was designed by the notable engineer Thomas Grainger and is a good example of a mid-19th century cast iron underbridge, that is imposing in scale and displays craftsmanship in its construction and detailing. It reflects engineering practice of the time in utilising cast-iron shallow-arched girders. The bridge has group value with the other Listed structures designed by Grainger on the Leeds, Dewsbury & Manchester Railway line. It was designated a Grade II Listed building in March 2018.

In respect of the proposed works Historic England consider the replacement of the bridge deck will retain the ability to appreciate the existing underbridge's historic appearance and character, whilst also ensuring its optimum viable use as an operational railway structure. In examining the level of harm on the significance of Jack Lane underbridge, they agree with the Heritage Statement that this would be less than substantial harm under National Planning Policy Framework (NPPF, para 215). They welcome the methodology statement and materials details and are pleased to see the pilaster capitals at the top of the pilasters on all four sides will be retained and the existing corner cill under the deck on all four corners are to re-use existing masonry. They also welcome the confirmation that pointing mortar will be undertaken in Lime mortar NHL5, to match existing. Furthermore, they agree with the proposal to undertake Historic Building recording to a Level 3 standard, as defined in Section 5.2 of the WSI, in line with their guidance on recording.

In summary Historic England note the works are required as part of the wider TRU scheme and consider that the harmful impacts on the significance of the listed bridge have been minimised and mitigated as far as reasonably possible, and they have no objection to the application on heritage grounds. No comments have been received from the National Amenities Societies.

K.C. Conservation and Design support the proposal in principle but initially sought further clarification. They queried if the stone cornice is being lost in its entirety or just a central section to be replaced in concrete and detailed to match. Network Rail have confirmed it will be the central section of each

cornice which is being removed and replaced with concrete, detailed to match the stonework of the cornice. The four corner stones which are visible on the approach to the bridge are being retained. K.C. Conservation and Design are satisfied with this subject to imposing a condition for colour matching of the concrete. This was discussed with Network Rail who raised concerns that an exact colour match could prove difficult and requested the condition didn't require colour matching in circumstances where the dyed concrete appears more out of keeping than a natural finish. Officers have proposed a condition to secure a sample panel, which has been agreed with Network Rail.

K.C. Conservation and Design also queried the issue of cleaning and whether the proposed jet washing includes the full extent of stonework i.e. all wingwalls and not just under the bridge itself. Network Rail have confirmed this was proposed only to the bridge abutments and areas of repair work. However, should officers have concerns this might leave the structure looking less uniform, then cleaning it is not essential. K.C Conservation and Design have considered this further and are satisfied with the potential for some level of cleaning but to ensure no starkness between the parts of the bridge which are cleaned and those areas to be left, they recommend a condition to secure details of the scope and method of any proposed cleaning to the Listed Structure, including a sample panel/area to be undertaken in the least conspicuous place. This matter can be addressed via imposition of condition.

K.C. Conservation and Design also queried why the handrail could not be reinstated and why a new 'matching' one is proposed. Network Rail have confirmed the existing handrail is of sub-standard height, so even if it could be removed and reinstated alongside the new deck, adjustments / alterations would have to be made to increase its height. Given its materiality and condition, this would be difficult to achieve without damage or loss of components of historic iron railings. Moreover, due to the structural arrangement being used for the main deck, the handrails would need to be directly connected to the deck walkways to ensure there is no gap between the edge of the walkway and the handrails. Again, to physically attach a historic iron railing to a new metallic bridge deck in such a way would be very difficult to achieve without considerable intervention into the historic fabric of the railings. K.C Conservation and Design note and accept this. West Yorkshire Archaeology Advisory Service were consulted and note they have studied the applicant's heritage statement and support the suggested mitigation measures of a Level 3 historic building survey. In addition to recording the structures as is the report should also address the historic development, engineering philosophy and materials employed. In response to this, Network Rail provided the following response:

"We note the comment regarding the recommendations on items to be included in the Historic Building Recording of Jack Lane Underbridge (MDL1/24). We are happy to pass these comments on to the archaeological recording contractor who has been commissioned to undertake the recording of this structure."

In relation to the areas of interest you identify as being required to be covered in the recording:

- *Historic Development and Materials Employed – we would consider that these elements should be definitely covered for the recording to meet the Level 3 requirements, in line with Historic England guidance; in our role as technical reviewer of the archaeological contractor's recording report, we would not accept a report which didn't identify and detail materiality and historic development as part of a Level 3 recording. Furthermore, these are already defined as being required in the recording based on the scope outlined in the Written Scheme of Investigation (WSI) submitted with the LBC application, namely as identified in the bullet point lists of elements for inclusion in the written record, included in paragraph 5.2.10, and the post-survey reporting, included in paragraph 5.3.1.*
- *Engineering Philosophy – we will ensure that the requirement to cover this in the reporting is passed onto the archaeological recording contractor.*

We hope you find the above provides assurance that your comments will be taken into account and that the recording will be consequently undertaken to your satisfaction."

WYAAS were reconsulted and have stated the following:

"I have read the heritage statement and I do not object to the proposed reconstruction of the railway bridge. The proposed level 3 historic building record is an appropriate level of mitigation"

In summary no objections are raised and the appropriate level of recording can be secured through condition.

Conclusion

Paragraph 205 of the NPPF states that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 208 goes on to state that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

This application has been assessed against relevant policies in the development plan and other material considerations. Whilst the structure is a surviving example of a cast iron beam bridge, the proposed replacement deck replaces a non-original early 20th century deck. The harm level is considered to be less than substantial and therefore as set out under the NPPF, the harm should be weighed against the public benefits. As discussed in the Assessment, the works form a part of a wider line upgrade and improvement scheme under the TransPennine Route Upgrade. The works to the bridge are therefore considered necessary to achieve the goals of the wider line improvements. The benefits of the scheme are the significant improvement to the connections between Manchester and Leeds and the introduction of electrification of the line. These are significant public benefits to the immediate and wider area with the improvement works and it is therefore considered that on balance the wider public benefits from the delivery of this upgraded infrastructure scheme do outweigh the harm.

It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2025/90117

Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development shall be begun not later than the expiration of three years beginning with the date on which consent is granted.

Reason: Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

3. Prior to commencement of works and notwithstanding the details and specifications submitted, a sample panel showing close colour match of the concrete material intended to replace the parts of the cornice being removed shall be submitted to, inspected and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework. This is a pre-commencement condition to ensure satisfactory details are secured prior to works commencing.

4. Notwithstanding the details and specifications submitted, details of the scope and method of any proposed cleaning to the Listed Structure, including a sample panel, shall be submitted to, inspected and approved in writing by the Local Planning Authority before any cleaning works commence. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

5. Prior to commencement of works, a Level 3 Historic Building Recording shall be completed in accordance with Historic England Guidance and submitted to and approved in writing by the Local Planning Authority. The report shall be deposited with WYAAS within 18 months of the date of approval.

Reason: In the interests of retaining the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan			16.01.25
W4-Area A-MDL1/24 Jack Lane Underbridge Substructure Defects and Repairs	151667-TSA-40-MDL1-DRG-C-ST-042412	P01	16.01.25
W4-Area A-MDL1/24 Jack Lane Underbridge Substructure Defects and Repairs	151667-TSA-40-MDL1-DRG-C-ST-042413	P01	16.01.25
W4-Area A-MDL1/24 Jack Lane Underbridge Listed Building Consent Existing/Proposed Plan	151667-TSA-40-MDL1-DRG-C-ST-042470	P03.1	16.01.25
W4-Area A-MDL1/24 Jack Lane Underbridge Listed Building Consent Existing/Proposed East Elevations	151667-TSA-40-MDL1-DRG-C-ST-042472	P03.1	16.01.25
W4-Area A-MDL1/24 Jack Lane Underbridge Listed Building Consent Existing/Proposed – Typical Section through Abutment	151667-TSA-40-MDL1-DRG-C-ST-042473	P03.1	16.01.25
W4-Area A-MDL1/24 Jack Lane Underbridge Listed Building Consent Existing/Proposed West Elevations	151667-TSA-40-MDL1-DRG-C-ST-042471	P03.1	16.01.25
Network Rail (Dewsbury to Leeds W4 Scheme) Trans-Pennine Route Upgrade Jack Lane Underbridge (MDL1/24): Schedule of Materials.			16.01.25
Trans-Pennine Route Upgrade. Written Scheme of Investigation – Historic			16.01.25

Building Recording. Jack Lane Underbridge (MDL1/24).			
Network Rail (Dewsbury to Leeds W4 Scheme) Trans-Pennine Route Upgrade Jack Lane Underbridge (MDL1/24): Heritage Statement			16.01.25

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. Officers actively engaged with the applicant to discuss matters of cleaning and colour matching of concrete.

Report Dated:

24/04/2025