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Network Rail Consultation Response

FAO:	Jillian Rann
Date:	16/09/2025
Application reference:	2025/91184
Proposal:	Erection of two storey industrial unit (Use Class E(g)(iii)), with associated car park, service area and other associated works
Location:	land off, Bretton Street, Savile Town, Dewsbury, WF12 9BZ

Thank you for your recent correspondence relating to the above application.

Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.

Following assessment of the details provided to support the above application, Network Rail has **no objection in principle to the development**, but below are some requirements which must be met.

Embankment

We are aware that the proposals include cutting into the toe of the railway embankment to allow for the erection of a retaining wall. Network Rail would have serious concerns about any excavation or cutting into the embankment that could result in settlement, disturbance, and potential failure. Such failure could have serious consequences, particularly for overline bridge DRS2/1, which may be adversely affected.

If excavation is required, a suitable design and methodology must be approved by the Local Authority in conjunction with our Asset Protection team. We would also appreciate unrestricted access to this section of the site should Network Rail's Structures Team staff wish to inspect retaining structures in close proximity to the railway infrastructure.

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.

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All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal ([ASPRO Network Rail Implementation \(oraclecloud.com\)](#)). From there, the outside party can create an account and submit their enquiry. The enquiry will then be assigned to one of the Asset Protection team to progress. Alternative 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.

Drainage

It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. We note that the proposed works include the diversion of a Yorkshire Water sewer, which must be carefully managed in coordination with Network Rail's Asset Protection Team. This engagement is critical to ensuring that the stability of the nearby railway embankment is not compromised.

Mining

The proposed application site falls within Network Rail's Mining Referral Layer. Should this application move forward, we would require the developer to work closely with our Asset Protection Team to ensure that the scheme did not adversely impact the railway infrastructure. The applicant may be required to provide ground investigation/monitoring to confirm there will be no detrimental effect on earthwork stability. Additionally, any works should comply with Network Rail guidance NR L2 CIV 191 Mod 5 (requirements for managing the risk from mining in design and construction), which will need to be managed through our Asset Protection Team.

Additional Requirements

Construction Transport Route

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Informatives:

Please see attached standard railway requirements to be included as informatives.

Conclusion

Thank you again for the opportunity to comment on the proposed scheme. We trust that the above will be given due consideration in determining the application and if you have any enquiries in relation to the above, please contact us at townplanninglne@networkrail.co.uk.

Useful Network Rail contacts;

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.

Land Information

For enquiries relating to land ownership enquiries, please email landinformation@networkrail.co.uk.

Property Services

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email propertyerviceslneem@networkrail.co.uk.

Kind Regards,



Aaron Walsh

Town Planning Technician
Network Rail Land & Property (Eastern)
George Stephenson House, Toft Green, York, YO1 6JT

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