

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. 2026/CL/90201/W

Site Address	Low Westwood Lane, Huddersfield, HD7 4EW
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Description	Prior approval for alterations to bridge Bridge MVL3/67 Low Westwood Lane, north of Linthwaite (within a Conservation Area)
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Recommending Officer	Liz Chippendale
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DECISION – Prior Notification – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 03-Jul-2026

Application: 2026/90201

Site: Low Westwood Lane, Huddersfield, HD7 4EW

Proposal: Prior approval for alterations to bridge Bridge MVL3/67 Low Westwood Lane, north of Linthwaite (within a Conservation Area)

Representations

A comment has been received which states the following:

'I am not objecting to the upgrade of Low Westwood Bridge, as an improved, greener railway is desirable. I am objecting to the use of the Old Coal Shutes as an access point. I will uploads this objection to the online rail consultation too'.

The representation then goes on to list reasons why the use of the site as an access should be refused.

At the time of assessing this application, Network Rail were undergoing a public consultation on the proposed works under the W2C Order Application under the Transport & Works Act for improvements to the railway between Standedge Tunnel (Mardsen) to Gledholt Tunnel (Paddock). The published documents show the old coal yard as a proposed temporary site compound and a proposed permanent right of access for a maintenance access.

Officers consider that the comments received relate to the proposed works published by the Network Rail public consultation and are not relevant to this prior notification, giving due regard to the relevant material considerations set out in Part 18 A.2 (detailed later in this assessment).

Application Site

Bridge MVL3/67 Low Westwood Lane comprises of three decks. The southern and northern decks are riveted wrought iron ladder decks and the central deck is a concrete deck. The northern façade of the bridge faces a sharp bend in Low Westwood Lane and is screened on both sides by steep embankments, meaning the bridge is only visible from Low Westwood Lane and the immediate north.

The southern part of the bridge lies within on the boundary of the Linthwaite Conservation Area. The northern part of the bridge lies on the boundary of the Wellhouse Conservation Area. To the south east of the bridge are Grade II Listed buildings (3, 3A, 16, 18 and 20 Low Westwood Lane).

Proposal

The proposed works comprise the replacement of the northern deck and the partial replacement of the southern deck (but not impact the southern facing façade).

The proposed works are required to accommodate the introduction of a third track across the bridge and include the wrought iron bridge decks with concrete deck beams, and the replacement of the existing metallic parapet, stone copers and pilasters with pre-cast concrete units (using stone masonry patterning) and GRP handrails.

There are no proposed alterations to the highway.

Consultee response

KC Conservation and Design provided the following response on 20.03.2026:

No objection to the proposed works subject to conditions:

- *The pre-cast concrete L-units shall be finished with natural stone cladding design pattern to match the natural coursed stones below. The concrete shall match the existing natural stones by colour, texture and coursing.*
- *The GRP handrail shall be finished in a black or green colour*

The applicant was unable to agree to the use of natural stone at this stage and requested a meeting to discuss. The meeting was held between the applicant, Conservation and Design Officer and Planning case officer. At the meeting it was advised that the use of an alternative material to natural stone could be acceptable, however, details of the material, colour and patterning would need to be agreed. The applicant agreed to provide options.

Following the meeting the applicant provided the following:

In relation to the question of cladding for some of the bridges, we have considered different design options but, given that we are not at the detailed design stage and the different context of each bridge, we are currently unable to provide the clarity being sought for the external finish for each concrete parapet. Therefore, our preference is that a condition be attached to each prior approval application (that involves a concrete parapet) requiring a sample of the finish be provided for LPA approval. This would allow a more thorough investigation of different finishes at the detailed design stage.

Conservation and Design officers agreed that the use of condition to secure details is acceptable. Therefore, the conditions would be as follows:

- The submission of material finish/detail to be agreed by the LPA
- The GRP handrail shall be finished in a black or green colour.

Background

Network Rail are due to submit an Order Application under the Transport & Works Act for improvements to the railway between Standedge Tunnel (Mardsen) to Gledholt Tunnel (Paddock). This proposes three tracking and full electrification of the line. In anticipation of the grant of the Order and to meet the deadline of the introduction of services to the Government's timetable, Network Rail propose to carry out a series of

advance works on a number of structures, to permit speedy implementation of the wider proposals should the Secretary of State grant consent for the Order.

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 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 railway bridge is already in situ, with the addition of a third track proposed in this location is necessary to complete works on the TransPennine Route Upgrade and cannot therefore be reasonably be located elsewhere.

In respect of part (b) and the amenity of the neighbourhood, the bridge is located within a relatively isolated position. The southern part of the bridge lies within on the boundary of the Linthwaite Conservation Area. The northern part of the bridge lies on the boundary of the Wellhouse Conservation Area. To the south east of the bridge are Grade II Listed buildings (3, 3A, 16, 18 and 20 Low Westwood Lane).

A central section of the deck was replaced with concrete beams in the late 20th century, which will be replaced as part of the proposed works.

Due to its minimal heritage interest from a typical design and extent of alterations, the bridge is not considered to be a non-designated heritage asset. The southern part of the bridge lies within the northwestern boundary of the Linthwaite Conservation Area. The northern façade of the bridge is located within the Wellhouse Conservation Area. The northern façade of the bridge faces a sharp bend in Low Westwood Lane and is screened on both sides by steep embankments, meaning the bridge is only visible from Low Westwood Lane and the immediate north. Given the topography of the site and limited contribution of the bridge to the conservation Areas (located on the boundary of both and the structure itself not included within either), the proposed works would have a neutral impact on the historic and architectural interests of the Linthwaite Conservation Areas. The southern façade will remain as existing, as such there is no considered impact to Linthwaite Conservation Area. Conservation and

Design officers have requested a condition for the submission of the parapet finish materials and design. As such, there is no objection to the proposed works, subject to the application of suitably worded conditions for the submission of parapet materials and design and the finish of the proposed handrails.

The bridge is located to the west of the remains of a former coal drops and good shed associated with the railway. As there are no proposed amendments to the southern façade of the bridge, the setting of the former coal drops would remain unaltered.

To the south east of the bridge are Grade II Listed buildings (3, 3A, 16, 18 and 20 Low Westwood Lane). Due to the separation distance and topography of the surrounding site, there would be no impact to the setting of the listed buildings.

The nearest neighbouring residential properties are located on Low Westwood Lane

Crow Tree Road to the west, at a distance of approximately a minimum of 25 metres it is not considered that the proposal, giving regard to the limited nature of the works proposed, would impact on residential amenity due to the significant separation distance.

In respect of other matters, it is proposed the soffit height and minimum clearance of the existing bridge would be increased on the new structure (from 4.462m to 4.520m), and there would be no alterations to the highway. 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 (eg, temporary closure of public right of way).

Recommendation: Grant Approval

Report Dated: 26.06.2026

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. Notwithstanding the submitted plans, a sample of the parapet finish[es] shall be submitted to and approved by the Local Planning Authority, prior to their installation. The external treatment of the parapet finish[es] shall reflect the retained stonework of the bridge in terms of colour, texture, finish and coursing.

Reason: In the interests of visual amenity and the conservation of the Historic Environment and to accord with Policies LP24 and LP35 of the Kirklees Local Plan.

2. The GRP handrail shall be finished in a black or green powder coating.

Reason: In the interests of visual amenity and the conservation of the Historic Environment and to accord with Policies LP24 and LP35 of the Kirklees Local Plan.

Plan Type	Reference	Version	Date received
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Existing and proposed elevations	167037-TGP-54-MVL3-DRG-T-LP-166701	P02	22.01.220
Existing and proposed plan	167037-TGP-54-MVL3-DRG-T-LP-166700	P02	22.01.2026
Network Rail cover letter dated 23/01/2026	TP/LNE/2026-011 167037	-	23.01.2026