

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/90568/W

Site Address

Bridge MVL3/44, Huddersfield
Narrow Canal, Marsden,
Huddersfield, HD7 6NQ

Description

Prior approval for alterations to
bridge MVL3/44, Huddersfield
Narrow Canal (within a Conservation
Area)

Recommending Officer

Liz Chippendale

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: 10-Jul-2026

Application: 2026/90568

Site: Bridge MVL3/44, Huddersfield Narrow Canal, Marsden, Huddersfield, HD7 6NQ

Proposal: Prior approval for alterations to bridge Bridge MVL3/44, Huddersfield Narrow Canal (within a Conservation Area)

Application Site

Bridge MVL3/44 is located to the west of Marsden and carries the railway over the Huddersfield Narrow Canal and towpath, close to the Standedge Visitor Centre. The bridge comprises of four decks supported on masonry abutments, with reinforced concrete cill units beneath the two northern decks (deck 1 and 2) and sandstone springer stones beneath the three southern decks (decks 3 and 4). The northern decks are composite bridge decks constructed in 1987 and the southern decks are wrought iron riveted plate girders constructed in 1990.

The bridge is not located within the Marsden (Tunnel end) Conservation Area. To the north of the bridge is the Standedge Visitor Centre which is a Grade II listed building.

Proposal

The proposed works are required due to the track realignment and comprise of the replacement and relocation of decks 1 and 2 with a new half-through steel composite bridge (painted red), removal of deck 3 and strengthening works to deck 4. The existing abutments would be cut down to accommodate new reinforced concrete cill beams.

Consultee Response

Conservation and Design officers provided the following initial informal comments:

There are some concerns raised of the proposed loss of natural stone masonry from a prominent location within the Conservation Area and the setting of a Listed Building. Please could you consider options to retain features and original natural materials or replacement to be more in keeping with the setting.

In response to the officer concerns, the applicant provided the following response in addition to visualisation images:

Stone cladding is already proposed as part of the bridge works but it's difficult to capture such design detail on the elevation drawings owing to the skewed geometry of the bridge. Therefore, we have attached visualisations before and after the proposed works which allows a better understanding of the visual appearance of the works.

Conservation and Design Officers reviewed the visualisations and commented as follows:

We note from the extra visualisations submitted, that the proposed works will involve natural coursed stone to match existing (above and below), except for the concrete cill beam in between to match existing.

On the basis of the information submitted it appears that there would be no additional harm to the heritage assets caused by the alterations in this case. Therefore, we would not raise an objection in this case.

It would be useful to insert a condition if that's possible

- *New natural stone shall match existing in terms of type, colour, texture, finish and method of coursing.*
- *New concrete shall match existing concrete.*
- *Mortar shall be an appropriate lime mortar to be finished flush or slightly recessed (not strap pointing.)*

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 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 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), the bridge has undergone significant alterations to its decks and abutments, and as such retains limited architectural interest.

The proposed works would minimally alter the overall architectural appearance of the bridge beyond its current appearance as a significantly altered 19th century bridge. As such, there would be minimal change to the character and appearance of the Conservation Area, and to the setting of the listed building, subject to conditions advised by K.C. Conservation and Design, namely:

- New natural stone shall match existing in terms of type, colour, texture, finish and method of coursing.
- New concrete shall match existing concrete.
- Mortar shall be an appropriate lime mortar to be finished flush or slightly recessed (not strap pointing.)

The southern façade of the bridge would remain unaltered. Due to the orientation of the towpath to the bridge and the existing boundary walls, the northern façade is only visible to the towpath users at an oblique angle to the west. The new alterations would be recessed to the south east which would further restrict views. The use of natural stone and concrete to match the existing will result in a minimal impact to visual amenity. The proposed works would retain, where possible, the original features of the bridge.

The red line boundary is located within the bat alert layer. Ecological impacts are not a specific matter for consideration as part of this notification, although the council / LPA does hold a general Biodiversity Duty (per the Environment Act 2021). In this case, given the nature of the works (extending the parapet height), there is considered limited feasible harm to local biodiversity. Furthermore, the wider ecological impacts for the Transpennine Route Upgrade would be considered as part of the proposed Transport and Works Act Order.

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 (e.g., 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. The natural stone shall match the existing stone in terms of type, colour, texture, finish and method of 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 concrete shall match the existing concrete in terms of type, colour, texture and finish.
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.
3. Mortar shall be an appropriate lime mortar to be finished flush or slightly recessed (not strap pointing).
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
Existing and proposed elevations and section	167037-TGP-54-MVL3-DRG-T-LP-164401	P02	26/02/2026
Existing and proposed plan	167037-TGP-54-MVL3-DRG-T-LP-167400	P03	26/02/2026
Network Rail cover letter dated 25/02/2026	TP/LNE/2026-023 167037	-	26/02/2026