

MICKLEFIELD PARISH COUNCIL

Sole Trustee of Micklefield Recreation Ground Charity



Chairman ; Cllr J. A. Crossley

Vice Chairman ; Cllr N. Duff

Treasurer ; Cllr R. M. Czwarno

Clerk ; Miss J. Hebden
6 Churchville Avenue,
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STATEMENT OF CASE

Public Inquiry into the Network Rail (Leeds to Micklefield Enhancements) Transport and Works Act Order

1.0 MICKLEFIELD PARISH COUNCIL

- 1.1 Micklefield Parish Council is the Local Authority for the parish of Micklefield and has been in continuous existence since 1894. The Parish Council became the Sole Trustee of Micklefield Recreation Ground Charity in 2005 and is required by legislation to always act in the interests of the Charity in matters which relate to Micklefield Recreation Ground, lawfully and regardless of any wider considerations relating to the local community or the district of Leeds or the United Kingdom as a whole.
- 1.2 In other words, Micklefield Parish Council must not knowingly do something that is detrimental to the interests of the Recreation Ground and its users. The Parish Council therefore cannot support any proposal or initiative affecting Micklefield Recreation Ground, by any organisation, where the Parish Council could reasonably conclude that the effect on the Recreation Ground would be negative.
- 1.3 A Land Use Plan of Micklefield Recreation Ground is attached as Appendix 1 to this Statement of Case. This Land Use Plan is broadly up-to-date, although it should be noted that: the area marked as "Bowling Green" has recently been laid out as a Wildflower Meadow; and the Cricket Field is dormant and is temporarily being used as Under 11s football pitches and also has a rugby goal for informal rugby kick-about.
- 1.4 Micklefield Parish Council has several objections and comments relating to specific elements of the Network Rail (Leeds to Micklefield Enhancements) Transport and Works Act Order (the TWAO).
- 1.5 Our objections and comments are concerned with: (i) Peckfield Level Crossing Closure Mitigation; (ii) Demolition and Replacement of the Grade II Listed A656 Ridge Road Bridge; and (iii) Phoenix Avenue Temporary Compound and Micklefield Track Sectioning Cabin. The Parish Council's Statement of Case with regard to these three elements of the TWAO is as follows:

2.0 PECKFIELD LEVEL CROSSING CLOSURE MITIGATION

- 2.1 The Parish Council contends that in the likely event of the closure of Peckfield level crossing, pedestrian connectivity needs to be maintained via a footbridge, in the location and design proposed in Network Rail's scoping exercise (stakeholder consultation Phase 1).
- 2.2 The Parish Council has not, at any stage, objected to the closure of this level crossing. However, in our view it is unacceptable for the public right of way across the alignment of the railway line to be extinguished.
- 2.3 A footbridge is required to maintain the pedestrian link between the southern and northern parts of the village along Lower Peckfield Lane.
- 2.4 This link provides a non-vehicular route to access the local school, only local shop, doctors' surgery, sole public house and workplaces from the south of the village (increasingly necessary due to the large housing development being built on Pit Lane) and for residents in the north of the village to access workplaces, including those within Peckfield Business Park, adjacent to the level crossing.
- 2.5 The only user survey that the Parish Council has seen the results of was undertaken circa 2019/2020 and since that time several large housing developments have arisen in the village. If further user surveys have been undertaken by Network Rail since 2019/20, Micklefield Parish Council has not seen the results of those surveys.
- 2.6 The 100 dwelling housing development at Pit Lane is still in the process of being built out and even if a user survey has been undertaken in 2023, it will not have captured the full extent to which those new residents will use this public right of way across the railway line.
- 2.7 Furthermore, Network Rail's reason for closing the level crossing, i.e. that it is unsafe, also accords with the public's perception as to the safety of the level crossing, which reduces the number of people that currently use it, further undermining the validity of the survey data.
- 2.8 Most importantly, the TWAO includes the upgrade of Lower Peckfield Lane from a predominantly unmade dirt track to a fully bound bitmac carriageway with regular passing places for the vehicles that access Railway Cottages. Therefore, the TWAO will create a much smoother and more amenable surfacing on Lower Peckfield Lane for pedestrians, thus in itself stimulating even more use of this public right of way by local residents and adding to the justification for a footbridge to replace the level crossing.
- 2.9 The provision of a replacement Public Bridleway is not required (in Micklefield Recreation Ground or elsewhere). The existing Public Bridleway (Micklefield PB 8) starts at the 'S' bends on Great North Road (between Old and New Micklefield), and it is important to note that there are no other Public Bridleways leading up to it from the north, neither directly nor via any short connection via the Great North Road.
- 2.10 On Network Rail's Public Bridleway diversion proposal through Micklefield Recreation Ground, the replacement Public Bridleway would exit onto Great North Road a few hundred metres south of its beginning. The same point can be reached by continuing along the Great North Road, which would also avoid the need to make two of the right turns required to access and exit the bridleway and the associated danger of crossing the main road through the village against oncoming traffic.

- 2.11 Whilst the existing Public Bridleway along Lower Peckfield Lane does curve back towards being parallel with the Great North Road where it hits the north eastern corner of Micklefield Recreation Ground (at the 'A' frame controlled entrance into the Copse as shown on the Land Use Plan), Network Rail's proposed Public Bridleway diversion would effectively create an enormous 'dog-leg' route all the way out to the western end of the Recreation Ground and back to the south eastern boundary at the rear of the Old Fire Station Youth & Adult Centre.
- 2.12 Such a proposal offers no more practical value to horse riders than would be afforded from just continuing along Great North Road for a much shorter distance; a road which horse riders have to traverse for a significant distance anyway in order to access the Public Bridleway at the 'S' Bends. As we have said, there are no adjacent Public Bridleways that can be used to access Micklefield PB 8.
- 2.13 It is inappropriate to route a Public Bridleway through a recreation ground and take away some of its land for the spurious purpose of an unnecessary replacement Public Bridleway. A 10 acre recreation ground, which includes football pitches, rugby facilities and dog walkers, is not a suitable place to give horses and riders absolute rights, for the health and safety of both horses and riders and recreation ground patrons.
- 2.14 In addition, the proposed Public Bridleway diversion crosses directly in front of, and will impede access to, the Charity's property (4 and 5 Railway Cottages), which is used as a sports changing rooms and for storage.
- 2.15 The area in front of the changing rooms is used as a football training area for adults (on evenings) and children (on weekends) during the football season, and the existing floodlights are mounted on the north elevation of 4 & 5 Railway Cottages. The proposed Public Bridleway diversion would bisect the training areas from the changing rooms and could create movement conflicts and potential safety issues between the footballers and horse riders.
- 2.16 A Public Bridleway in any part of Micklefield Recreation Ground will by its nature permanently remove part of the ground from use by the general public (and thereby interfere with the general rights of patrons to use any part of the ground freely) and reserve it permanently for defined users and their rights.
- 2.17 Similarly, a Public Bridleway in any part of Micklefield Recreation Ground will segregate what is essentially an open ground and, as proposed by Network Rail in the TWAO, will potentially require long stretches of low level (1m high?) pedestrian guard rail along the northern flank of the Public Bridleway diversion.
- 2.18 As far as the Parish Council can see, Network Rail has not provided any example of any Public Bridleway having been created *within* a multi-purpose Recreation Ground with functioning sports pitches. There might be full size parks which may well contain Public Bridleways, or where Recreation Grounds have been created in the past around, and thereby including, a Public Bridleway which already existed, but Micklefield Parish Council is not aware of any example of what Network Rail is now proposing.
- 2.19 The Parish Council is also concerned about the maintenance implications for the surfacing of the proposed Public Bridleway running along the southern edge of the Recreation Ground, as Leeds City Council's Public Rights Of Way (PROW) unit will almost certainly not accept a new Public Bridleway being created with a fully bound surface.

- 2.20 The Public Bridleway diversion would have to be either left as grass (unlikely, as there would be no obvious alignment for horse riders to proceed along) or, more likely, would have an unbound surface of either crushed stone with fines or bitmac scalplings.
- 2.21 Any unbound surface for the proposed Public Bridleway will get torn up by the football players from the several teams which let the main football pitch when they are entering and leaving the football changing rooms in 4 & 5 Railway Cottages. Such a surfacing will also get damaged by the very large drainage wagon which has to be hired to empty the cess pit to the east of 7 Railway Cottages on an annual basis.
- 2.22 Although the new stretch of Public Bridleway would be within the Recreation Ground, the surfacing would belong to Leeds City Council. But the Parish Council is not convinced that the City Council's PROW unit would diligently maintain that unbound surfacing to a satisfactory standard – not just fit for horses, but also commensurate with the fact that any degraded surfacing would be a hazard for footballers collecting balls from outside the football pitch/training areas or for children playing along the Public Bridleway route.
- 2.23 The situation with an earth surfacing for the Public Bridleway would be arguably even worse. Over time, the Public Bridleway through the Recreation Ground could become heavily churned up and rutted. This would be no problem for the horse riders, and thus there would be no imperative for the City Council's PROW unit to do anything about it, but it would be a profound hazard for the other users of the Recreation Ground, especially those described above.
- 2.24 If any accident were to happen to a general user of the Recreation Ground due to the ruts etc. along the Public Bridleway, they would almost certainly claim against Micklefield Parish Council. The inescapable conclusion is that the Parish Council would *de facto* have to maintain the surface of the Public Bridleway to a standard that would be safe for the existing general users of the Recreation Ground, even though the creation of that stretch of new Public Bridleway would not benefit any of the existing users of the Recreation Ground, and would technically be not our responsibility anyway.
- 2.25 It should also be noted that there is a 2.1m high height restriction barrier across the whole width of the approach road into the Recreation Ground, immediately where it leaves the Great North Road. This height restriction barrier is permanently locked shut, as it is a vital structure to prevent caravans and other unauthorised vehicles from accessing the car parks and the grassed areas within the Recreation Ground.
- 2.26 It seems strange that a Public Bridleway can be created through such a height restriction barrier, and there is no space whatsoever on either side of the barrier to create a separate Public Bridleway alignment. The Parish Council doubts whether Leeds City Council's PROW unit would even accept that as a viable proposition for horse riders, and the Parish Council has no intention whatsoever of removing the height restriction barrier, as that would be unequivocally detrimental to the interests of Micklefield Recreation Ground Charity.
- 2.27 The alternative proposal by Network Rail for a new Public Footpath running along the southern edge of Micklefield Recreation Ground is acceptable in principle to Micklefield Parish Council. The creation of defined user rights for pedestrians in the Recreation Ground is not in itself a problem – the Recreation Ground's whole purpose is for people to go into and around it on foot to use the various sporting/play facilities and the general grass amenity areas – so it would be somewhat perverse to suggest that new defined user rights for pedestrians would be detrimental to the interests of the Charity.

- 2.28 That said, the creation of a Public Footpath along the southern edge of the Recreation Ground, as an integral part of the TWAO, would be rendered unnecessary if it is determined that the TWAO should include the provision of a pedestrian footbridge to replace Peckfield Level Crossing.
- 2.29 The Parish Council is advocating the provision of a new pedestrian footbridge to replace Peckfield Level Crossing, as are many other statutory consultees and other objectors to the TWAO. However, we have noted that the feasibility of an underpass, as a mitigation option that would maintain connectivity, was never properly examined and should have been.
- 2.30 Network Rail appears to have discounted an underpass as a viable alternative, and it was “not considered” simply on the tenet that the existing topography does not lend itself to that as an option. This is not a fully accurate assertion and thus not a satisfactory reason for not undertaking a proper feasibility study of providing an underpass.
- 2.31 The ground level on the north side of the railway west of Lower Peckfield Lane actually falls away quite sharply both to the north and to the north east, as this side of the railway is actually on an embankment.
- 2.32 A diversion of Lower Peckfield Lane around the north side of 1 Railway Cottages would be able to approach an underpass on a very shallow gradient, potentially almost level depending on where the diversion were to sensibly leave the existing alignment of the lane. The existing topography most definitely does lend itself to the provision of an underpass, at least on the north side of the railway.
- 2.33 The situation is different on the south side of the railway line, as the railway is virtually plumb level with the parallel carriageway of Phoenix Avenue. However, on the south side of Phoenix Avenue, the vacant plots of Peckfield Business Park are significantly lower than the carriageway of Phoenix Avenue, so the topography even here arguably lends itself to an underpass emerging from under the railway and Phoenix Avenue.
- 2.34 Micklefield PB 8 continues south of the railway along Pit Lane and the lead out from an underpass would be able to connect back to Pit Lane and thus the Public Bridleway with a reasonable gradient. The land in question (south of the railway) is all owned by Leeds City Council, so an underpass would also be deliverable in terms of the willingness of the landowner to provide the land.
- 2.35 There may be other reasons why an underpass would ultimately not be an appropriate or viable solution, but these (if they exist) would have been teased out of a proper feasibility study for that option at Peckfield Level Crossing.
- 2.36 It is also very important to note that the cost differential from a pedestrian underpass to one that will also accommodate horse riders is not that great – certainly not as great as the cost differential between a pedestrian bridge and a horse bridge. This is another reason why the provision of an underpass should have been considered and properly assessed, as it could have been the easiest and cheapest option of continuing a full Public Bridleway across the railway at this location and one which would broadly follow its current alignment.
- 2.37 The Parish Council supports the upgrade of Lower Peckfield Lane to a fully bound bitmac carriageway with passing places, as it will maintain services to the residents of Railway Cottages and provide other benefits to those residents and to many users of Micklefield Recreation Ground.

3.0 DEMOLITION AND REPLACEMENT OF THE GRADE II LISTED A656 RIDGE ROAD BRIDGE

- 3.1 Micklefield Parish Council objects to the complete demolition of this Grade II Listed railway overbridge, which Network Rail itself acknowledges is rare and unique as there are few other examples.
- 3.2 The A656 Ridge Road Bridge was given Listed Building status in 2015 in response to Network Rail's bespoke set of bridge alteration proposals along the railway between Leeds and Micklefield which was submitted as a consolidated planning application in 2014/15. At that stage, Network Rail was proposing to lower the track bed under Ridge Road Bridge and there would also have been some alterations to the existing arch.
- 3.3 Even though this bridge is now Grade II Listed, Network Rail has decided that the only financially viable method of resolving the clearance problems for the overhead catenary is to completely demolish Ridge Road Bridge and build a new bridge to replace it. The Parish Council accepts that it would cost more money to lift the entire bridge arch structure – considerably more money – but that does not mean that to do so is financially unviable.
- 3.4 The whole point of granting Listed Building status to the bridge is for the state to have a greater control as to what happens to it. Altering or otherwise developing listed buildings in such a way as to retain their visual integrity is almost always a more costly exercise than completely demolishing them and re-developing the site.
- 3.5 Jacking up the unique basket arch may well cost twice as much as demolition and replacement with a new bridge, but Micklefield Parish Council believes that is the correct thing to do. Network Rail is not saying that demolition and replacement is the only practical and physically possible way of resolving the clearance issues; merely that they do not choose to spend the money that lifting the bridge arch would require.
- 3.6 The Parish Council would respectfully ask that the Inspector tests this particular proposal to destruction. The question is very simple though: how much is it worth to retain this unique bridge, and to what extent should the state seek to ensure that Network Rail retains it?
- 3.7 It is extremely disheartening to see that if Ridge Road Bridge is ultimately demolished as part of an approved TWAO, Network Rail will have missed a golden opportunity to build a replacement bridge incorporating a Public Bridleway across the railway.
- 3.8 The existing bridge incorporates a 2m wide bitmac footway on its east side. Whilst this highway footway stops dead at the north end of the bridge, the very wide adopted highway verge extends a long way to the north of the bridge. It would have been physically easy to construct a replacement bridge 3m wider on its east side, thus facilitating the provision of a 5m wide Public Bridleway segregated from the carriageway of the A656 Ridge Road.
- 3.9 A bridge for horse riders at this location would have connected to the new Public Bridleway that Network Rail had themselves proposed from Lower Peckfield Lane to the A656 Ridge Road adjacent to the railway on its north side as Option A in its Scoping Exercise of 2021. Network Rail had proposed that design option with a Pegasus Crossing diagonally along the full length of the bridge, but this idea failed apparently because Leeds City Council's Highways Development Services couldn't countenance a Public Bridleway crossing the A656 Ridge Road in that location.

- 3.10 Once Network Rail had decided that its preference was to completely demolish Ridge Road Bridge, it is extremely regrettable that Network Rail did not then make a concerted effort to see if they could design a new bridge which would link the new Public Bridleway that they wanted to provide on the north side of the railway back to Micklefield PB 8 (Pit Lane) on the south side of the railway (via the existing Public Footpath that Network Rail also wanted to upgrade to Public Bridleway which runs along the southern edge of Peckfield Business Park).
- 3.11 The only sticking point, in terms of the practical feasibility of accomplishing this was that a 3m-4m wide strip of the very large rear garden of Ridge Bridge Cottage would need to have been acquired as part of the TWAO. This might have actually been very easy – the rear garden of that property is entirely fenced and has no access directly on to the A656 Ridge Road, and the owner occupier might have been perfectly happy to sell a narrow strip of their garden in order to facilitate a wider bridge incorporating a Public Bridleway.
- 3.12 The really sad thing is that in over two years of protracted deliberations, Network Rail don't appear to have even thought to ask the owner of Ridge Bridge Cottage if they were amenable to this idea. An imaginative way of creating new and valuable Public Bridleway routes either side of the railway to the west of Peckfield Level Crossing (that Network Rail had itself identified and which Micklefield Parish Council supported) could have been achieved at a marginal extra costs to the new Ridge Road Bridge, and without even having to think of constructing a very expensive massive horse bridge to the side of 1 Railway Cottages.
- 3.13 Furthermore, the Parish Council cannot accept any extended closure of Ridge Road due to the demolition and reconstruction of the bridge. The prescribed diversions for through traffic away from the A656 Ridge Road will be lengthy (all the way round the southern and northern edges of Garforth) and could last for a considerable period.
- 3.14 If the required diversions are not fully and properly signposted and no proactive measures are taken to try and discourage people from driving straight through Micklefield as their own ad hoc diversions, then our village will certainly get an enormous amount of additional traffic coming through on the Great North Road and Church Lane between the Boot & Shoe Roundabout on the A63 and Junction 47 of the M1.
- 3.15 Anybody who knows the road system in this area around Garforth (or knows how to read a map) will quickly realise that the easiest way of getting to and from those two points on the road system will be through the village of Micklefield.
- 3.16 It is important that the Public Inquiry tests both the signage proposals and additional measures that will limit inappropriate ad hoc diversions through Micklefield, regardless of what happens with the A656 Ridge Road Bridge.

4.0 PHOENIX AVENUE TEMPORARY COMPOUND AND MICKLEFIELD TRACK SECTIONING CABIN

- 4.1 Micklefield Parish Council has no objection to the Phoenix Avenue temporary compound location but recommends that it needs round the clock security staff and that the site should be restored when Network Rail vacates it.
- 4.2 The Parish Council also has no objections to the track sectioning cabin, although suitable Conditions should be applied to its construction and operation, and likewise for the operation of the temporary compound on Phoenix Avenue.

5.0 LIST OF SEPARATE DOCUMENTS REFERRED TO

Appendix 1 Land Use Plan of Micklefield Recreation Ground (2018)

Cllr Jon A Crossley
Chairman
Micklefield Parish Council

17th November 2023

SITE PLAN MICKLEFIELD RECREATION GROUND

SCALE 1:1250

Cllr. Jon Crossley
18/2/2007 & 04/11/2014
(Updated 01/10/2018)

DJPA = Diamond Jubilee Play Area
Equipment Items

