

**TRANSPORT AND WORKS ACT 1992**

**Transport and Works (Applications and Objections  
Procedure) (England and Wales) Rules 2006**

**THE NETWORK RAIL (LEEDS TO MICKLEFIELD  
ENHANCEMENTS) ORDER**

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**Rule 9(1)(2)**

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# **The Network Rail (Leeds to Micklefield Enhancements) Order**



## **Transport and Works Act 1992**

### **Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006**

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#### **APPLICATION TO THE SECRETARY OF STATE UNDER SECTION 6 OF THE TRANSPORT AND WORKS ACT 1992 FOR AN ORDER UNDER SECTIONS 1 AND 5 OF THAT ACT**

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TO: The Secretary of State for Transport  
Department for Transport  
c/o Transport Infrastructure Planning Unit,  
Department for Transport,  
Great Minster House,  
33 Horseferry Road,  
London SW1P 4DR

1. Network Rail Infrastructure Limited ("Network Rail") applies to the Secretary of State for Transport pursuant to section 6 of the Transport and Works Act 1992 for an Order under sections 1 and 5 of that Act in the terms of the draft Order accompanying this application.
2. The draft order makes provision for the following:
  - (a) authorisation to construct, enhance, operate and maintain works on the Transpennine Line between Leeds and Micklefield for the purposes of increasing capacity and improving journey time and performance reliability of rail services on the Transpennine Line between York, Leeds and Manchester, including works to facilitate the upgrade of the existing railway, railway electrification works and associated works between Leeds and Micklefield;
  - (b) the demolition and reconstruction and construction of overbridges and highways on the Transpennine Line between Leeds and Micklefield;
  - (d) powers to compulsorily acquire interests in and rights over land, extinguish rights and rights to use land temporarily for the purposes of the works authorised by the Order and associated works;

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- (e) the disapplication of legislative provisions and provision regarding the application of local railway enactments and the application of existing agreements;
  - (f) powers to execute street works, temporarily and permanently stop up and/or divert, footpaths and highways, alter the layout of streets, provide access to works, make traffic regulations and provisions relating to streets. The Order also makes provision for the closure of level and accommodation crossings; and
  - (g) powers relating to the operation and use of the railway, a defence to proceedings in respect of statutory nuisance, the felling or lopping of trees overhanging the proposed works and the prevention of obstruction of the construction of works and ancillary provisions.
- 3. In connection with the application, a request is also being made to the Secretary of State for Transport under section 90(2A) of the Town and Country Planning Act 1990 that planning permission, so far as it is required, shall be deemed to be granted for the development proposed to be authorised by the Order. The Secretary of State has issued a screening decision confirming the application does not require an Environmental Impact Assessment.
- 4. Listed building consents are also required for the purposes of proposals included in the application for the Order. The following listed building consent applications are being made to the Leeds City Council for consent to carry out the following works on listed bridges:
  - (a) An application for listed building consent in respect of the demolition and reconstruction of the Grade II listed public highway Austhorpe Lane Overbridge (HUL4/21) and Austhorpe Lane Footbridge (HUL4/21A) and the construction of a new dual-purpose overbridge.
  - (b) An application for listed building consent in respect of the partial dismantling and reinstatement of the Grade II Listed Crawshaw Woods Overbridge(HUL4/20).
  - (c) An application for listed building consent in respect of the demolition of the Grade II listed Brady Farm Overbridge (HUL4/15).
  - (d) An application for listed building consent in respect of the demolition and reconstruction of Grade II Listed Ridge Road Overbridge (HUL4/14).
- 5. Under Section 12(3A) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the above listed building consent applications will be referred to the Secretary of State for determination.

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6. In accordance with Rule 10 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006, subject to the waiver directions given by the Secretary of State under Rule 18, an electronic copy of each of the following documents accompany this application—
- Draft Order;
  - Explanatory Memorandum;
  - Statement of Aims;
  - Funding Statement;
  - Estimated cost of the proposed works;
  - Consultation Report;
  - Book of Reference;
  - Plans and Sections and Open Space Plans;
  - List of consents, permissions or licences required under other enactments;
  - Waiver directions given under Rule 18;
  - Request for Deemed Planning Permission and statement of proposed conditions;
  - Planning Direction Drawings in support of the request for a planning direction; and
  - Screening decision pursuant to Rule 7(13) from the Secretary of State dated 17 May 2023 confirming an Environmental Impact Assessment is not required.
- In addition an electronic copy of each of the following documents accompany this application—
- Planning Statement;
  - Design and Access Statement; and
  - Environmental Report.
7. A certificate under section 19 of the Acquisition of Land Act 1981 is required for the purposes of the proposals included in the application for the Order.
8. A request for a certificate under the Acquisition of Land Act 1981 will be made to the Secretary of State under section 19(1)(b) to confirm that the open space land that is proposed to be subject to the power of acquisition does not exceed 250 square yards and the provision of land in exchange is unnecessary.

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9. All requests for further information, notices or other documents required to be served upon the applicant under the above mentioned Act or Rules should be sent to Dentons UK and Middles East LLP, One Fleet Place, London EC4M 7WS (reference: MJXV/The Network Rail (Leeds to Micklefield Enhancements) Order)

**Dated: 11/07/23**

**Signed:**

A handwritten signature in black ink, appearing to be 'L. H.' followed by a stylized flourish.

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**Network Rail Infrastructure Limited  
Waterloo General Office  
London, SE1 8SW**

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**DEPARTMENT FOR TRANSPORT  
2023**

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