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Dear ,

Transpennine Route Upgrade (TRU)

I am writing to you regarding Leeds City Council's (LCC) current position (approved by our Executive Board) concerning the Transpennine Route Upgrade following informal consultation that has taken place to date.

Firstly, we would like to thank Network Rail for its ongoing consultation regarding TRU. However, it should be noted that to date much of the consultation has taken place with regards to the east of Leeds and limited consultation has taken place in relation to any works to the west of Leeds. We encourage Network Rail to work in collaboration across the whole of the route to ensure we can mitigate disruption and help facilitate works. Following consultation with ward members it should also be noted that increased and improved communication needs to be carried out, particularly regarding proposals, benefits, expected outcomes, potential works and impact/ disruption, along with relevant dates. Therefore, sight of a communications plan as soon as possible would be helpful allowing us to help convey these messages and to understand how Network Rail will work with local residents and businesses impacted by the scheme.

We recognise the importance of Transpennine Route Upgrade (TRU) and its role in improving connectivity across Leeds City Region and more widely across the north, supporting our economic growth and bringing people within easier reach of jobs and opportunities.

We support the principles and benefits of TRU including improved journey times, improved passenger experience, more seats, more freight capacity, and reduced emissions, as well as added social value and levelling up by providing opportunities such as apprenticeships and working with local businesses. We are therefore keen to continue working alongside Network Rail to ensure we build on and further enhance the progress made to date in the

City and across the city region through investment programmes such as the Leeds Public Transport Investment Programme and City Connect cycle network.

Although we recognise the importance of TRU we would not support a project that has material adverse impacts on residents and businesses within the Leeds boundary. We would therefore like to raise a number of specific concerns which have come out of consultation to date, specifically in relation to the proposed Transport and Works Act Order (TWAO) from Kirkgate to Micklefield. Scheme wide issues are outlined below:

1 Highways

- a) Clarity is required from Network Rail as to the highways powers that will be sought as part of the TWAO in order to carry out various works along the route. This is to avoid for example, issues concerning traffic management, disruption, and blue badge parking bays temporary closures. The Council has requested a Side Agreement from Network Rail to set out the agreed position including highways issues. It is expected to contain documentation such as a requirement for a Traffic Management Plan. The council is currently awaiting a draft agreement from Network Rail.
- b) Network Rail has indicated that access will also be required from the highway onto both council and private land. However the locations for this have not been shared. Clarity is needed with regards to locations and whether these access points will be referred to as part of the Side Agreement relating to highways issues.
- c) Designs regarding structures are currently only at feasibility stage. Outline design is to be included within the TWAO submission thus meaning ongoing collaboration will be needed to ensure appropriate detailed design delivers the outcomes agreed during the informal consultation process.
- d) It is critical that the overall principle is adopted that where changes are made to the highway network/structure, Network Rail commits that the reinstatement shall be to current standards set out in the Design Manual for Roads and Bridges or as agreed with Highways. i.e. Structures should not be replaced like for like where they are currently deemed to be 'sub-standard'.

2 Planning including Listed Building Consents

- a) Deemed planning consents
 - i. Network Rail is seeking deemed planning consent as part of the TWAO in respect of the following issues. Discussion is ongoing with regards to these conditions and the Council has concerns in respect of the timing of some of the consultation periods which would mean comments were being sought from the Planning Authority retrospectively. The Council has provided a written response setting out the concerns on each specific deemed condition consent and will need these to be resolved to enable the Council to determine its position in response to the TWAO.
- b) Listed Building consent process
 - i. 4 bridges are to be included within the listed building consents process which will run in parallel to the TWAO process. The Council requires further information from Network Rail on the various stages of this process to ensure appropriate resourcing.
- c) Compounds
 - i. Assurance is sought from Network Rail that schedules of condition (pre and post construction) of the compound areas shall be carried out by Network Rail to ensure reinstatement to the original condition.

d) Landscaping proposal

- i. Where a bridge is to be demolished (e.g. Brady Farm) confirmation is sought from Network Rail that a landscaping proposal will be shared and agreed to ensure the site is left in a suitable condition.

e) Noise mitigation

- i. Concerns have been raised with regards to the impact of night time working on residents. It is essential that Network Rail undertake consultation and engagement with residents to mitigate the impact of their works. A clear communication plan is required setting out how local residents and businesses will be forewarned of works and their concerns and issues mitigated and addressed.

3 Planning Policy

a) Employment land at Peckfield Planning Board approval

- i. The temporary compound at Phoenix Avenue forms part of a wider parcel of land allocated for General Employment development in the Site Allocations Plan. The compound will result in 1.8ha (of the total 5ha site) being unavailable for employment development until circa Spring 2027. As there is an overall shortfall in allocated employment land across the City (with 47ha of the general employment land supply being in the HS2 safeguarded area) Network Rail were asked to provide further information to justify the siting of the compound in this location. An Impact Statement was provided which outlines why the compound is needed in this location, and the impact to the TRU cost and programme if it is not developed. This was considered at Planning Board and on balance it was considered that this sufficiently justifies the siting of a compound in this location on a temporary basis and so the initial objection has been lifted. The Council is not aware of any further employment land which will be impacted by this scheme, however if this position changes it is important that this is raised with the Council at the earliest opportunity to review alternative options and mitigation.

4 Ecology and arboriculture

a) Biodiversity Net Gain (BNG)

- i. Network Rail's intended strategy to 'achieve an overall 10% net gain in biodiversity' remains unclear as to how this is to be calculated and what percentage will directly impact within the Leeds City Council boundary, given this figure is aligned with the full extent of the TRU from Liverpool to York. It is critical that there is a 10% net gain provided within the Leeds boundary proportionate to the impact of TRU within this.

b) Great Crested Newts mitigation strategy and compensation

- i. Network Rail have advised that Network Rail's Organisational Licence provides an alternative conservation led approach to licence activities which might impact great crested newts (GCN) during the maintenance and enhancement of railway infrastructure. It is similar in principle to the district level licensing scheme whereby it delivers compensation for impacts strategically.
- ii. The Council still requires an outline of the mitigation measures to minimise/avoid impacts on GCN and other amphibians using both breeding ponds and impacted terrestrial habitat. Additionally, information regarding what compensation is likely to be and where the compensation will take place is also required.

c) Arboricultural Impact Assessments (AIA) and mitigation plan

- i. Network Rail need to provide the Council with an AIA and mitigation plan for sites that will be affected by the works based on the principle that any works to be carried out should be located to minimise impact on existing trees.

In addition to the overarching concerns above there are also site-specific concerns and considerations which are outlined below:

5 New Market Approach Land Acquisition

- a) Network Rail have advised of their intention to build a new access to the Neville Hill compound south of the existing railway using Council land from New Market Approach. This access will not be adopted but it has been requested that it is built to adoptable standards. Planning permission is to be sought for vehicular access, but the land acquisition is to be included in the TWAO.
- b) Network Rail has also advised of their intention to use Neville Hill as a strategic freight site in the future moving the freight depot from its current Marsh Lane location. This has raised two principal concerns which need to be addressed before the Council can form a view on its position:
 - i. Whether the permanent land take is required for the TRU scheme under the TWAO or whether it is actually required for the proposed future use for the strategic freight depot?
 - ii. The impact that increased HGV vehicular movements will have on the larger highway network including the New Market Approach junction with the network.

6 Austhorpe Lane Bridge and Compounds – Network Rail proposes the demolition and rebuild of Austhorpe Lane bridge to accommodate the electrification underneath it. The Council has requested that the bridge is rebuilt to current highway standards i.e., a 2 way carriageway and footway to replace the existing single track highway and separate footbridge.

a) Design standards

- i. Negotiation with Network Rail has been carried out to ensure the new structure meets current minimum requirements and agreement has been reached regarding a two-lane carriageway and a footway to the west. However, the Council requires detailed design (as per other structures) to ensure a number of other concerns are mitigated such as the tie in of the proposal with Austhorpe lane which has not yet been designed.

b) Council contribution to new structure

- i. Network Rail has requested the Council make a contribution of £800,000 to the new structure following negotiation on the proposed replacement structure. However, the Council has rejected this based on the overall principle that structures should meet current standards set out in the Design Manual for Roads and Bridges or as agreed with Highways. Network Rail's original proposal did not meet the required criteria and would have built health and safety issues into the design. The Council require confirmation from Network Rail that there will be no requirement for a contribution from the Council to the replacement of the bridge nor the future maintenance of the structure.

c) High pressure gas main

- i. The Council has raised concerns as to the location of the gas main diversion required as part of the bridge works and the ecological and arboricultural impacts it will have on the adjoining Green Park. The Council has asked

Network Rail to look at possible changes to the location of the intended diversion in order to mitigate these impacts. Network Rail has indicated that they have provided sufficient justification for the location and intend to include this within the TWAO submission however Network Rail has not provided an Arboricultural Impact Assessment together with mitigation plan and this is required before the Council can confirm its position.

7 Crawshaw Woods Bridge

- a) Further justification is required from Network Rail with regards to the current design as a result of the proposed approach to the north of the structure and how it meets accessibility standards.

8 Barrowby Lane Footbridge

- a) The Council has requested that this is built to acceptable standards for all bridleway users with approaches at acceptable gradients, sufficient width, and parapet heights. The Council seeks assurance from Network Rail that these requirements can be met during detailed design.
- b) Following consultation, it is noted that Network Rail have agreed to work with relevant parties to secure the dedication of public bridleway rights on the relevant section of Nanny Goat Lane to ensure it ties into the Public Right of Way definitive map and enhances connectivity for walkers, horse riders and pedal cyclists in the area.

9 Ridge Road Bridge

- a) Discussions regarding the design of this bridge are continuing and the Council is broadly supportive of the proposals. However the new structure needs to meet a minimum highway width of 7m to ensure sufficient future capacity. Clarity is also needed on how the structure will tie into the existing highway network.

10 Peckfield Level Crossing Closure

- a) Concerns have been raised by Ward Members and Leeds Access Forum regarding the proposed diversion of the bridleway and footpath required as a result of the Level Crossing closure. Network Rail has undertaken an options assessment of alternative solutions for bridleway and pedestrian users and their preferred solution proposes that the bridleway and footpath is diverted onto the Great North Road from Pitt Lane and then back across the recreation ground for pedestrians to the Railway Cottages continuing on the Great North Road for horse riders to meet up with the current path where it joins the Great North Road or to provide the shortest diversionary route. Network Rail has discounted the option to provide a bridleway or foot bridge over the railway based on usage counts from the last 3 years and the cost of installing a bridge. However this raises concerns for the council taking into consideration the Site Allocations Plan designation of land for housing and employment use in Micklefield together with existing planning applications for significant housing development which will mean the need for good north – south connections across the railway for new residents to access local services such as food outlets and doctors surgery.
- b) Network Rail is undertaking further consultation with Ward Members and Leeds Access Forum including public rights of way officers to discuss whether there are any additional mitigations which could be delivered and the Council requests that Network Rail undertakes a further assessment of the option to provide a bridge over the railway in light of the planned and proposed new developments.

We look forward to continuing to work collaboratively with Network Rail on this Scheme and thank Network Rail for its ongoing collaboration. The Council would be grateful for a response to the points raised above prior to the TWAO being deposited with the Department for Transport. This will then inform the basis for the Council's formal response to the deposited TWAO.

Yours sincerely

Martin Farrington
Director of City Development
Leeds City Council

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