

## KIRKLEES METROPOLITAN COUNCIL

### PLANNING SERVICE

#### UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY STRATEGIC PLANNING COMMITTEE

14 JULY 2022

---

**Planning Application 2021/92086**

**Item 11 - Page 11**

**Erection of 277 residential dwellings and associated infrastructure and access (amended scheme)**

**land at, Bradley Villa Farm, Bradley Road, Bradley, Huddersfield, HD2 2JX**

Highway and transportation issues

Paragraph 10.148 of the committee report noted that the Toucan crossing proposed at Bradford Road would need to be relocated. An amended drawing showing an acceptable location for the crossing (further to the south of the new junction, along Bradford Road) has now been submitted.

Further to paragraph 10.160 of the committee report, discussions have continued regarding the details and likely cost of the Bradley Bar roundabout capacity improvement scheme. The most recent figure provided by the applicant (on 12/07/2022) was £1,795,160, towards which the applicant suggested a contribution of £251,322 would be payable. This is not accepted. Officer calculations arrived at a cost figure of £2,056,784, of which the applicant's contribution would be £287,950. It is recommended that this contribution be secured via the required Section 106 agreement.

As regards the adequacy of the Bradley Bar roundabout proposals, on 11/07/2022 KC Highways Development Management advised that the indicative improvement scheme is of the scale and kind that is required to accommodate the HS11 site, and that no interim capacity improvement at the junction is considered necessary for the 277-unit development currently proposed.

Although this indicative improvement scheme is unlikely to provide an overall capacity benefit at the junction, other significant benefits would be provided, as follows:

- Controlled crossing facilities for pedestrian and cycles would be incorporated on all arms. This is the key benefit of the scheme, as pedestrian crossing provision is currently poor, and it is currently difficult to cross all arms of the junction at peak times due to the high volume of traffic. Therefore, the improvements would provide a significant benefit to pedestrian safety and amenity, and should help facilitate modal shift from car use to active travel modes, both for the proposed development and wider highway users.

- Off-carriageway cycle facilities (combined cycle/footways) would be provided, which would enable cyclists travelling through the junction in all directions to bypass the circulatory carriageway. Again, this would provide a significant benefit to cycle safety and amenity, and should help facilitate modal shift from car use to active travel modes. This is particularly beneficial at this junction, where there have been a number of cycling collisions on the circularly carriageway, which would be addressed by this improvement.
- The provision of traffic signals would also provide greater control of the junction operation. Whilst the junction modelling has demonstrated that the improvement would not increase traffic capacity, it would allow variations in traffic flow and associated queues/delay to be managed better. It is also likely to have traffic safety benefits, as conflict between vehicles entering the roundabout and circulating vehicles would be removed on the Bradford Road approaches. On the Bradley Road and Fixby Road approaches that would remain unsignalised, it should also be easier to find gaps to enter the junction during the upstream inter-green periods, with the speed of circulating traffic being reduced (traffic approaching from a stop position on the circulatory carriageway would be moving slower than the current free-flow situation).

It is noted that later phases of development at the HS11 site would need to develop this scheme (or another appropriate scheme) further, to ensure the optimum junction improvement is developed (in pedestrian/cycle safety and amenity terms, as well as in terms of traffic capacity) and based on the circumstances that exist at that time. These later phases would also need to establish the timescale for delivery of the scheme. As confirmed in the evidence provided in support of the Local Plan and as confirmed in the site allocation text, strategic highway interventions such as this were anticipated to be required once the development quantum exceeded 750 dwellings at the HS11 site.

As per the applicant's email of 03/07/2022, it has been determined that the Bradley Villa Farm phase of development would increase traffic at the junction by circa 3.6% to 3.9% during weekday network peak hour periods, when compared to the 2029 baseline (without development trips) scenario. Whilst this would have an impact of the operation of the Bradley Bar roundabout in the short term, with the roundabout already operating at (or close to) capacity at peak times, these increases are within expected daily variations (typically thought to be +/- 10%) and the applicant's consultant has concluded that this would not represent a severe impact when considered in isolation. Officers broadly agree with this conclusion. To further demonstrate this, the table below (extracted from the applicant's emailed information of 03/07/2022) confirms the anticipated traffic increases on each lane of the roundabout during the 2029 assessment period. This shows that the maximum increase in traffic on any one lane during either the AM or PM peak period would be 88 vehicles, or 1.5 vehicles per minute, which is again not considered to be of a scale that would represent a severe impact.

### Proposed Initial BVF Phase 2029 Development Flows

Arm	Lane	Lane Description	AM Peak Hour Development Flows (Vehicles)		PM Peak Hour Development Flows (Vehicles)	
			Dev Trips Per Hour	Dev Trips Per Minute	Dev Trips Per Hour	Dev Trips Per Minute
Bradford Road N	1	Ahead and Left	88	1.5	30	0.5
	2	Ahead and Right	33	0.6	11	0.2
Bradley Road	1	Ahead and Left	0	0.0	0	0.0
	2	Right Turn	18	0.3	48	0.8
Bradford Road S	1	Ahead and Left	13	0.2	34	0.6
	2	Ahead and Right	0	0.0	0	0.0
Fixby Road	1	Ahead and Left	8	0.1	21	0.4
	2	Right Turn	0	0.0	0	0.0

The safety improvements referred to at paragraph 10.161 of the committee report are due to be implemented by the council in 2023.

### Flood risk and drainage issues

Further to paragraphs 8.5 and 10.189 of the committee report, the following progress has been made in attempts to resolve the outstanding concerns of the Lead Local Flood Authority (LLFA) relating to drainage and flood risk:

- Flood routing – In response to further details of flood routes through the application site provided by the applicant, the LLFA have confirmed that the proposals are acceptable in principle, except in relation to the part of the site around units 142 to 146, where water would collect. Although this matter remains the subject of an objection from the LLFA, it is recommended by the case officer that levels and other details can be submitted at conditions stage to address this outstanding concern.
- Sustainable Drainage Systems (SUDS) treatment – The LLFA have noted the applicant's information regarding the ownership of (and constraints relevant to) the proposed basin, and have additionally noted that surface water already enters the M62 drainage system without any treatment. The LLFA have therefore accepted that the proposed basin can be provided without being utilised for SUDS treatment.
- Culverted watercourse – The LLFA are not able to support the layout proposed in the northernmost part of the site without further site investigation to ascertain whether a culverted watercourse exists beneath that part of the site. A plan illustrating the affected part of the application site will be shown at the Strategic Planning Committee meeting. To address this concern, the applicant has organised slip trenching to be carried out at the site on 13/07/2022 in the presence of an officer of the LLFA. If no watercourse is found, the matter will have been satisfactorily addressed. However, if a watercourse is found, the LLFA would maintain an objection to the proposed layout. Notwithstanding this objection, however, it is recommended by the case officer that an amended layout (to accommodate the watercourse) can be submitted at conditions stage. Given that such amendments would affect the northernmost part of the site, submission of those drawings would not necessitate public reconsultation.

A further update on flood risk and drainage matters will be provided at the Strategic Planning Committee meeting.

## Electricity connection

Further to paragraphs 10.32 and 10.113 of the committee report, on 05/07/2022 the applicant provided details of the proposed development's electricity connection and related matters. The main points of relevance to the current application are:

- A high-voltage connection is proposed from existing infrastructure beneath Bradford Road and via the substation proposed at the west end of the site.
- The first 29 plots (where foundations would be excavated by July 2023) would be provided with gas boilers, although gas main connections would be laid to 41 plots as a contingency.
- The remainder (majority) of the site would have no gas connection, and dwellings would be provided with air source heat pumps.
- The above approach would necessitate greater electric loading (i.e., a greater demand from the national grid), which may necessitate a larger substation (either physically or in terms of capacity).
- A second substation is not currently proposed.
- The applicant's proposals would have capacity to serve the 277 dwellings of the Bradley Villa Farm site, but not the wider HS11 site.

The above information has various implications of relevance to the assessment of the current planning application.

The proposed use of air source heat pumps for the majority of the application site is welcomed. A dwelling that relies on the national grid (which is being decarbonised) and an air source heat pump for its energy will – if not already, then in the future – be more sustainable than a dwelling that relies partly on a gas boiler for heating and hot water.

The proposed use of air source heat pumps (instead of gas boilers) is also welcomed in relation to air quality impacts.

The external components of air source heat pumps can vary in size, however a unit of 1.5m x 1.2m x 0.8m (resembling an external air conditioning unit) is fairly typical. These can usually be installed on rear elevations (below windowsill level), with enough space maintained around them to ensure they function well. To ensure such units are indeed located discretely to avoid visual harm, a further condition is recommended requiring the submission of relevant details.

Generally, air source heat pumps are low-noise installations, however it is recommended that the above condition be worded to also secure details of noise from the units, and to require adequate maintenance of the units to ensure noise problems do not emerge in the future.

Given the applicant's confirmation that the proposed electricity connection has not been designed with additional capacity to also serve the wider HS11 site, officers remain of the view that the previously-recommended condition ("Submission of details of electricity connection serving HS11 site") is necessary, as per paragraphs 10.32 and 10.113 of the committee report.

## Nationally-described space standards (NDSS)

Further to paragraph 10.131 of the committee report, the applicant has submitted amended drawings of the Bakewell and Tweed house types, and an updated schedule of accommodation (rev P). Space has been added to these house types, and they are now NDSS-compliant. The Bakewell units would be 84sqm in size, and the Tweed units would be 97sqm in size.

---

**Planning Application 2021/92206**

**Item 12 – Page 75**

### **Erection of 137 homes with open space, landscaping and associated infrastructure**

#### **Land Off, Woodhead Road, Brockholes, Holmfirth**

##### Representations

Following submission of the Committee Report for final agenda, 7 representations have been received relating to the application, including a representation from Cllr Greaves. This brings the total number of representations to 170 at the issue of this report. The representations concern the following matters:

- *The development lack's a safe pedestrian connection to Brockholes, such as over the River Holme this creates social and cultural issues in respect of integrating the future residents of the site with the existing residents of Brockholes. Cllr Greaves states that the development has the potential to have an improved connection with Brockholes, however this is not achieved due to cost implications and not on account of feasibility. The viability of the scheme is not in question.*
- *Proposed pedestrian integration to Brockholes via Smithy Place and Smithy Place Lane is unsafe (for all, including school children) due to lack of footway and nature of sight lines across Smithy Place Lane. This safety issue will be exacerbated by increased pedestrian use from the site.*
- *Highway safety and capacity issues from increased traffic generation and lacks sufficient promotion of active travel measures.*
- *Negative impact on biodiversity through loss of grassland, wildflowers, trees and other habitats and the consequent impact on wildlife corridors and protected species*
- *Lack of buffer space to existing properties and need for a reduced number of units on site.*
- *Overlooking of Smithy Place from proposed dwellings*
- *Contrary to declaration of a Climate Emergency.*
- *Negative impact on character and appearance of the area.*
- *Lack of amenities and services in Honley, lack of capacity in local infrastructure.*
- *Integration of Honley and Brockholes contrary to Green Belt policy*
- *Negative impact on trees across the site.*
- *Lack of sustainable materials and design practices that future proof the development.*
- *Proposed house types lack response to local vernacular.*
- *Negative impact upon protected species.*
- *Challenging topography of the site.*

- *Concerns centring on flood risk.*
- *Proposed development does not meet the requirements of the Holme Valley Neighbourhood Development Plan nor the National Model Design Code.*

**Officer Response:** Following review of the submitted representations, it is considered that all matters raised have been covered sufficiently within the Committee Report.

#### Call-in request

On the 7<sup>th</sup> July 2022, Cllr Greaves (on behalf of the Holme Valley Independent Cllrs, Preserve Holme Valley and Brockholes Community Group, Honley Civic Society and Holme Valley Vision Community Group) submitted a 'call-in' request to the Secretary of State for determination of the application. The Planning Casework Unit (PCU) within the Department for Levelling Up, Housing & Communities have contacted the Case Officer to query whether the application falls under any of the criteria set out under The Town and Country Planning (Consultation) (England) Direction 2021. The Case Officer confirmed that as the Environment Agency removed their holding objection on the 24<sup>th</sup> May 2022, officers considered that the application no longer fell under any of the criteria set out within the direction so does not require referral.

Committee Members are advised that the call-in request does not prevent the application from receiving a decision resolution at the 14<sup>th</sup> July meeting and the PCU have confirmed that they will be in touch with the Majors Team Leader on the 15<sup>th</sup> July to follow up in relation to the outcome of the Committee meeting. The PCU will provide further instruction on or after the 15<sup>th</sup> July.

---

#### **Planning Application 2022/91138**

**Item 13 – Page 123**

**Demolition of existing training centre and occupational health buildings, erection of new headquarters including indoor training centre, extension of existing building to form new fire station, extension of car parking and associated landscaping and drainage**

**Oakroyd Hall, West Yorkshire Fire and Rescue Service Headquarters, Bradford Road, Birkenshaw, BD11 2DY**

#### Lead Local Flood Authority Update

Following submission of a revised Flood Risk Assessment, the LLFA have confirmed that they have removed their objection to the drainage design subject to the inclusion of conditions relating to drainage design, flood routing, maintenance and temporary drainage of the site. The summary list of conditions has been updated to reflect the LLFA consultee response and further negotiation of conditions with the applicant.

The alteration of temporary drainage measures to prior to commencement other than soft strip works, as opposed to full pre-commencement, is agreed with Officers.

### Biodiversity Condition

The applicant has requested that the condition for Biodiversity enhancements reflects the Local Plan and Environmental Bill transitional arrangements for 'No Net Loss' instead of 10% Net Gain. The applicant considers that the development can still bring forward a 10% net gain, but that the condition should be in line with policy requirements.

### Parking Surfacing Condition

The applicant proposed removal as it relates to gardens and plots and is therefore not relevant to this scheme which is agreed with Officers.

### Updated Condition Summary List

Additions and redactions to the list are presented in italics and strike-throughs respectively. Surfacing is otherwise controlled under the landscaping condition.

1. Three Year Time Limit for Commencement (S91 TCPA)
2. Compliance with Approved Plans
3. Construction Management Plan (Pre-commencement)
4. Landscape and Ecological Design Scheme
5. Fire Station Extension Materials (To Match)
6. Compliance with Submitted Materials (HQ & Training Centre)
7. Submission of Outstanding Materials (HQ & Training Centre)
8. Biodiversity Enhancement and Management Plan (~~10% Net Gain~~ *No Net Loss*)
9. Protected Species restrictions to Working Practices
10. Details relating to identification and remediation of Mine Shafts
11. Structural Safety Sign-Off by Competent Person (Mine Shafts)
12. Drainage Design including 30% betterment and surface water filter interceptors (Pre-commencement)
13. Temporary Drainage Details (Pre-commencement)
14. ~~Car Park Surfacing and Drainage~~
- 14 *Parking restrictions to Whitehall Road West and Bradford Road*
15. Car Park Management Plan
16. Compliance with Submitted Travel Plan
17. Submission of Arboricultural Method Statement
18. Implement Agreed Dust Mitigation Scheme
19. Details of Kitchen Extract System
20. Details of Pollution Prevention for Food Outlets (oil, fat and grease reduction to public sewer)
21. Details of Electric Vehicle Charging Point Provision
22. Post Demolition Phase 2 Contaminated Land ISI Report
23. Submission of Contaminated Land Remediation Strategy
24. Implementation of Contaminated Land Remediation Strategy
25. Submission Contaminated Land Validation Report
26. Details of External Artificial Lighting
27. Details of means of Securing External Access Doors
28. Details of Fire Appliance Siren Policy

**Erection and operation of grid connected solar photovoltaic farm to supply up to 49.9MW, with ancillary infrastructure and landscaping and biodiversity enhancements****Low Farm, Wakefield Road, Flockton, Huddersfield, WF4 4BB**Applicant clarification on site capacity

As noted with the report, particularly within paragraphs 10.97 – 10.103, residents have raised concerns that the power generation capacity of the site exceeds 50MW. Planning legislation requires that proposals that generate greater than 50MW should be considered by the Secretary of State. However, the proposal seeks 49.9MW, which residents doubt.

The applicant has provided the following comments in response (in addition to those contained within the report):

*The key point on whether the Low Farm installation can generate 49.9MWe is down to the control philosophy outlining how the installation is to be controlled.*

*The site as you know has an export limit of 49.9MW and this is controlled using a Power Plant Controller (PPC) integrated within the PV SCADA system. The SCADA system (supervisory control and data acquisition) integrates all the PV plant output signals from the electrical components as well as the weather station outputs. The PPC is able to control and limit the output of individual inverters and the level of active power injected into the grid at the point of connection. The PPC works by reading signals at the point of interconnection and then sending orders (active and reactive setpoints) to all inverters as well as connection/disconnection orders to capacity banks if they are present in the PV plant. The inverters will then perform their own controls to follow the master PPC orders. A PPC implements a closed-loop control in real-time allowing to send fast and refreshed commands to the inverters in order to achieve the setpoints. The plant operator as well as the system operator can send setpoints and enable or disable controls by means of the PV SCADA and substation remote terminal unit (RTU).*

*Like the PV panels and modules themselves we don't know at this stage the electrical rating until the procurement process is complete, which won't happen until the planning application is determined. However, we do have a ready reckoner by looking at the control processes proposed. The site proposes string inverters, the max AC power of will each being approximately 185kW (based on aHuawei SUN2000 185KTL string inverter), the exact rating being dependent on the model we procure. Based on the submitted application plans, there will be 270no. string inverters installed to meet the 49.9MW export capacity.*



A condition has already been recommended to limit the site's generation to 49.9MW, the wording of which shall include reference to the PPC to ensure the condition is precise and enforceable. To reiterate the report, the description of development also limits the site to 49.9MW of capacity and, due to the scale of the development within the Green Belt, will be referred to the Secretary of State regardless. They will be notified of this concern from residents and therefore would have the chance to comment on this point of contention.

---

**Planning Application 2021/94060**

**Item 15 – Page 189**

**Variation condition 32 on previous permission 2016/92298 for outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8)**

**Former North Bierley Waste Water Treatment Works, Oakenshaw, BD12 7ET**

Update on additional condition

Paragraph 10.21 of the committee report details a proposed additional condition, seeking to prevent the additional floorspace being utilised as a 'Last Mile' distribution. This is to ensure the proposal's traffic impact is not higher than has been assessed. A draft condition is outlined within the report, but with a note that it was subject to final review by K.C. Legal and K.C. Planning Enforcement. This has now taken place, with the following amended condition now proposed:

*33. The hereby approved development does not authorise the operation of a 'Last Mile' and/or 'Parcel Distribution' distribution use within the area highlighted in red on plan ref. '2147 PL 100B', as submitted on the 13<sup>th</sup> June 2022. 'Last Mile' and/or 'Parcel Distribution' is hereby defined as any single parcel undertaking its last leg of a journey from a transportation hub to a final destination, based upon the nationally recognised TRICS (Trip Rate Information Computer System) database definition.*

***Reason:** In the interest of highway safety, to ensure the development operates within the parameters of the assessment undertaken, in accordance with LP21 of the Kirklees Local Plan.*

The changes are to ensure that the condition is adequately precise and enforceable.

Point of clarification and the public representations

Comments have been received that the committee report does not accurately or adequately address the public representations received. On review, officers are satisfied that they have adequately summarised and commented upon the public representations within the report. Nonetheless, members are reminded that the unabridged comments from residents may be found on the applicant's webpage.

Notwithstanding the above, officers wish to elaborate on one point. Residents have claimed that the Local Plan's employment allocation ES7 (this site) indicative allocation of 35,284sqm is the site's developable area. This is not correct and relates to the floor space of buildings, however it is reiterated to be indicative and can be increased subject to assessing material planning considerations. Regarding the developable area, the original application, 2016/92298, included a plan titled '*Parameters Plan*' that showed the approved potential development area, which was secured by a specific condition that reads:

*22. The development shall be restricted to the plateau areas as shown on drawing no. 207 Revision H, titled PARAMETERS PLAN*

***Reason:** in the interests of highway safety, visual amenity and to preserve the openness of the green belt, in accordance with Policy T10 of the Kirklees Unitary development Plan and guidance within the National Planning Policy Framework.*

The Local Plan allocation does include a 'net site area' of 7.61ha, reduced from the total of 14.03ha due to a Department for Transport highway improvement scheme, an area of hazardous installation, and buffer for a Local Wildlife Site.

Residents also reference the Inspector's comments from the Local Plan review. For the record, Inspector's Report comments on the site are copied below.

255. E1985a, former North Bierley Waste Water Treatment Works, Cleckheaton – The site is brownfield land and has now gained outline planning permission for redevelopment for employment uses. The site is located in the M62 corridor, and development in this strategic location would help to meet the needs of businesses and generate new jobs. The site lies in part of the Green Belt gap between Hunsworth and Woodlands. However, the site is previously developed land which contains existing buildings and structures, and a clear physical gap would remain. The site is also contained by woodland and slopes to the east and by the M62 and the M606 to the west and south, and therefore has a limited relationship with the wider countryside. Taking account of these factors I conclude that exceptional circumstances exist to justify removal of the site from the Green Belt. In order to be effective, the policy should be modified to refer to the site capacity in the recent planning permission (SD2- MM16) and to require the preparation of a Masterplan (SD2-MM17).

---