

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

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Wednesday 25 October 2023

Notice of Meeting

Dear Member

Strategic Planning Committee

The **Strategic Planning Committee** will meet in the **Meeting Room 3 - Town Hall, Huddersfield** at **1.00 pm** on **Thursday 2 November 2023**.

This meeting will be webcast live and will be available to view via the Council's website.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

Strategic Planning Committee Membership :-

Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Moses Crook
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

When a Member of the Strategic Planning Committee cannot attend the meeting, a member of the Substitutes Panel (below) may attend in their place in accordance with the provision of Council Procedure Rule 35(7).

Substitutes Panel

Conservative

D Bellamy
D Hall
A Gregg
R Smith
J Taylor

Green

K Allison
A Cooper
S Lee-Richards

Labour

B Addy
A Anwar
P Moore
E Firth
T Hawkins
H Zaman

Liberal Democrat

PA Davies
J Lawson
A Munro
A Marchington
A Smith

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

To receive any apologies for absence, or details of substitutions to Committee membership.

2: Minutes of the Previous Meeting

1 - 6

To approve the Minutes of the meeting of the Committee held on 5 October 2023.

3: Declaration of Interests and Lobbying

7 - 8

Committee Members will advise (i) if there are any items on the Agenda upon which they have been lobbied and/or (ii) if there are any items on the Agenda in which they have a Disposable Pecuniary Interest, which would prevent them from participating in any discussion or vote on an item, or any other interests.

4: Admission of the Public

Most agenda items will be considered in public session, however, it shall be advised whether the Committee will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

5: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

6: Deputations/Petitions

The Committee will receive any petitions and/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

7: Planning Applications

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The Planning Committee will consider Planning Application 2021/92734.

Please note that any members of the public who wish to speak at the meeting must register to speak by 5.00pm (for phone requests) or 11:59pm (for email requests) on Monday 30 October 2023.

To register, please email andrea.woodside@kirklees.gov.uk or phone the Governance Team on 01484 221000.

8: Planning Application - Application No: 2021/92734

11 - 52

Improvement and widening of the A629 to include junction improvements, re-positioning of footways and footway improvements, pedestrian crossing provision, the alteration, demolition and erection of walls, construction of retaining walls, erection of fencing, hard and soft landscaping to include the removal of trees and replacement planting, replacement street lighting, change of use of land to highway and change of use to and formation of car park on land adjoining 103 Halifax Road (within a Conservation Area) - various locations at A629 Halifax Road, Huddersfield.

Wards affected: Lindley/Greenhead

Contact: Richard Gilbert

Planning Update

An update report providing further information on matters raised after the publication of the agenda will be added to the online agenda prior to the meeting.

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 5th October 2023

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Moses Crook
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Membership of the Committee

All Members of the Committee were in attendance.

2 Minutes of the Previous Meeting

Resolved – That the minutes of the meeting of the Committee held on 31st August 2023 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors Armer, Crook, Hall, Pattison, A Pinnock, Sokhal and Thompson declared that they had been lobbied on Application 2022/93154.

In the interests of transparency, Councillor Armer disclosed that he had been approached, 18 months previously, in respect of the progress of Application 2022/90858.

4 Admission of the Public

All items were considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Planning Applications

8 Site Visit - Application No: 2022/93154

Site visit undertaken.

9 Site Visit - Application No. 2022/90858

Site visit undertaken.

10 Planning Application - Application No: 2022/93154

The Committee considered Planning Application 2022/93154 in respect of the erection of 68 dwellings with associated access, parking, open space, landscaping and infrastructure works (including installation of surface water attenuation tank) on land at Penistone Road, Fenay Bridge, Huddersfield.

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillors Paola Davies and Bernard McGuin.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Alison Munro (objector) and Krishna Mistry (on behalf of the applicant).

Resolved -

(1) That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:

(a) complete the list of conditions including those contained within the report and the update, as set out below, and subject to the inclusion of maintenance of the stairs:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Attenuation tank access to be formed using batters and grasscrete, as proposed.
4. Development to be done in accordance with sustainability report.
5. Walling and roofing material samples to be submitted and approved.
6. Development to be done in accordance with level strategy.
7. Details of proposed retaining wall materials, to not include gabion walls along the frontage of Penistone Road and to include samples of materials, to be provided.
8. Detailed landscaping strategy to be provided and implemented, with management and maintenance details to be approved.
9. Full details of boundary treatments to be submitted and approved. Boundary treatment around southern Public Open Space to be implemented.
10. Updated Arboricultural Impact / Method Statement to be submitted and approved. No unidentified tree-works to take place unless further Arboricultural Impact / Method Statement provided.
11. Archaeological evaluations to be undertaken.
12. Remove Permitted Development rights for outbuildings and extensions (all units).
13. Remove Permitted Development rights for windows on south facing side elevation of plot 68.
14. Submission of Construction Environmental Management Plan (CMP) to be submitted, approved, and adhered to.
15. Submission of Construction Environmental Management Plan (CEMP), to include dust mitigation, to be submitted, approved, and implemented.

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16. Detailed plan for the equipment and design of the Local Equipped Area of Play(LEAP) to be submitted, approved, and implemented.
 17. Updated Noise Impact Assessment to be submitted, approved, and implemented.
 18. Access sightlines to be implemented and secured.
 19. Full technical details of the internal road, to adoptable standard to be provided, approved, and implemented.
 20. Full technical details of staircase between plots 40 and 43 to be provided, approved, and implemented.
 21. Full technical details of design of right turn accesses to be provided, approved, and implemented.
 22. Full technical details of 2m wide frontage to be provided, approved, and implemented.
 23. Full technical details of pedestrian connection to Whitegates Grove to be provided, approved, and implemented.
 24. Full technical details of new retaining walls to be provided, approved, and implemented.
 25. Bin stores to be provided.
 26. Details of cycle storage per plot to be provided, approved, and implemented.
 27. Construction phase waste collection strategy to be submitted, approved, and adhered to.
 28. Contaminated land investigations to be undertaken and remediation/validation undertaken as required.
 29. Development to be undertaken in accordance with flood routing strategy.
 30. Full technical details of the drainage strategy to be provided, approved, and implemented.
 31. Details of temporary surface water drainage arrangements, during construction, to be provided and adhered to.
 32. Ecological Design Strategy to achieve 7.18 habitat units on site plus ecological mitigation measures.
 33. Construction Environmental Management Plan: Biodiversity to be submitted, approved, and implemented.
 34. Lighting strategy (amenity, ecology, and crime mitigation).
 35. No site clearance within the bird breeding season (unless appropriate survey undertaken).
 36. Installation and retention of electric vehicle charging points.
- (b) secure a Section 106 Agreement, with the following terms:
- i) Affordable housing: 3x First Homes and 4x Affordable Rent Homes (10% of total units)
 - ii) Open space off-site contribution: £61,724.60 towards local public open space improvements.
 - iii) Education: £194,302 towards local schools
 - iv) Metro Enhancements: £10,000 towards bus stop improvements
 - v) Sustainable Travel: £35,339.60 towards sustainable travel provisions (such as Metro passes)

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- vi) Biodiversity net gain: £170,200 towards off-site measures to achieve biodiversity net gain, with alternative option to provide on-site or nearby provision if suitable scheme identified.
 - vii) Management and maintenance: On-site Public Open Space, drainage, and ecological features, and including maintenance of the stairs.
 - viii) Viability Review Mechanism: An updated viability report to be provided to the Local Planning Authority, with additional Section 106 obligation to be provided if a higher-than-expected profit is achieved.
- 2) In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured and, if so, the Head of Planning and Development be authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

A recorded vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Crook, Hall, Pattison, Sokhal and Thompson (5 votes)

Abstain: Councillors Armer and A Pinnock

Against: (no votes)

11 **Planning Application - Application No: 2022/90858**

The Committee considered Planning Application 2022/90858 relating to the construction of a 3G pitch with 4.5m perimeter fencing and 15m floodlighting at Shelley College, Huddersfield Road, Shelley, Huddersfield.

Resolved -

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained within the report and the update, as set out below:

1. Time limit for development.
2. Development in accordance with the approved plans.
3. Community Use Agreement to be secured.
4. Addendum Noise Report to consider the noise level from the side-line halfway marking.
5. Ball Sound Mitigation Condition.
6. Noise Management Plan.
7. Hours of Use: The permitted hours of use being specified as: Monday to Saturday 0800hrs to 2200hrs, Sunday and Bank Holidays 0800 to 1600.
8. Installation of approved External Artificial Lighting.
9. Methods of switching and controlling the lighting.
10. Construction Site Working Times.
11. Reporting of Unexpected Contamination.
12. Schedule of the means of access to the site for construction traffic.
13. Compliance condition with the Reasonable Avoidance Measures detailed in the Ecological Reports.

Strategic Planning Committee - 5 October 2023

14. Arboricultural Method Statement.
15. A Drainage Maintenance Strategy for the ongoing maintenance of the drainage system (including the hydrobrake and silt trap), to include a Maintenance Schedule, and details of which organisation will be responsible for long term maintenance.
16. Notwithstanding the details submitted, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as follows:

For: Councillors Armer, Crook, Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (0 votes)

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KIRKLEES COUNCIL			
DECLARATION OF INTERESTS AND LOBBYING			
Strategic Planning Committee			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

LOBBYING

Date	Application/Page No.	Lobbied By (Name of person)	Applicant	Objector	Supporter	Action taken / Advice given

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
(b) either -

- the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Lobbying

If you are approached by any Member of the public in respect of an application on the agenda you must declare that you have been lobbied. A declaration of lobbying does not affect your ability to participate in the consideration or determination of the application.

In respect of the consideration of all the planning applications on this Agenda the following information applies:

PLANNING POLICY

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

National Policy/ Guidelines

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

REPRESENTATIONS

Cabinet agreed the Development Management Charter in July 2015. This sets out how people and organisations will be enabled and encouraged to be involved in the development management process relating to planning applications.

The applications have been publicised by way of press notice, site notice and neighbour letters (as appropriate) in accordance with the Development Management Charter and in full accordance with the requirements of regulation, statute and national guidance.

EQUALITY ISSUES

The Council has a general duty under section 149 Equality Act 2010 to have due regard to eliminating conduct that is prohibited by the Act, advancing equality of opportunity and fostering good relations between people who share a protected characteristic and people who do not share that characteristic. The relevant protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- religion or belief;
- sex;
- sexual orientation.

In the event that a specific development proposal has particular equality implications, the report will detail how the duty to have “due regard” to them has been discharged.

HUMAN RIGHTS

The Council has had regard to the Human Rights Act 1998, and in particular:-

- Article 8 - Right to respect for private and family life.
- Article 1 of the First Protocol - Right to peaceful enjoyment of property and possessions.

The Council considers that the recommendations within the reports are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

PLANNING CONDITIONS AND OBLIGATIONS

Paragraph 55 of The National Planning Policy Framework (NPPF) requires that Local Planning Authorities consider whether otherwise unacceptable development could be made acceptable through the use of planning condition or obligations.

The Community Infrastructure Levy Regulations 2010 stipulates that planning obligations (also known as section 106 agreements – of the Town and Country Planning Act 1990) should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The NPPF and further guidance in the PPGS launched on 6th March 2014 require that planning conditions should only be imposed where they meet a series of key tests; these are in summary:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects

Recommendations made with respect to the applications brought before the Planning sub-committee have been made in accordance with the above requirements.

Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 02-Nov-2023

Subject: Planning Application 2021/92734 Improvement and widening of the A629 to include junction improvements, re-positioning of footways and footway improvements, pedestrian crossing provision, the alteration, demolition and erection of walls, construction of retaining walls, erection of fencing, hard and soft landscaping to include the removal of trees and replacement planting, replacement street lighting, change of use of land to highway and change of use to and formation of car park on land adjoining 103 Halifax Road (within a Conservation Area) Various Locations - A629 Halifax Road, Huddersfield

APPLICANT

Steven Hanley, Kirklees
Council, Major Projects

DATE VALID

08-Jul-2021

TARGET DATE

07-Oct-2021

EXTENSION EXPIRY DATE

30-Jun-2023

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Lindley/Greenhead

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION:

(Regulation 3) - DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 Application 2021/92734 comprises the improvement and widening of the A629 highway corridor in three inter-connected location to include junction improvements, repositioning of footways and footway improvements, pedestrian crossing provision, the alteration, demolition and erection of walls, construction of retaining walls, erection of fencing, hard and soft landscaping to include the removal of trees and replacement planting, replacement street lighting, change of use of land to highway and change of use to and formation of car park on land adjoining 103 Halifax Road.
- 1.2 The application is made by Kirklees Council under Regulation 3 of the Town and Country Planning Regulations 1992.
- 1.3 Under the original submission approximately 87 trees would have been implicated for removal within the confines of Area A. Significant local objections were received by the Local Planning Authority in response to this aspect of the proposal which were subsequently fed back to the applicant. By way of response, the applicant has taken onboard the significant local feeling in respect of the works proposed across the Edgerton Road / Egerton Grove Road / Blacker Road junction and decided to remove Area A from the proposal in its entirety. The Local Planning Authority have welcomed this approach and subsequently consider that the application is able to be heard at Strategic Planning Committee in its revised format.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application comprises 3 distinct sites along the A629 highway corridor which links Huddersfield Town Centre to the M62 motorway. The corridor is a single carriageway road, carrying approximately 30,000 vehicles per day (24th May 2016 Automatic Traffic Count 7 Day average in both directions) and forms part of the West Yorkshire Key Route Network providing further connectivity to the other parts of the Leeds City Region (Leeds, Wakefield, Halifax, and Bradford) and to other destinations such as Manchester. The route passes through urban areas with properties typically abutting the highway boundary. The three sites are labelled as areas B, C and D. Each area will be described categorically below:

- 2.2 Area B – Cavalry Arms Junction - This is a predominantly residential area centred around the junction of Halifax Road, East Street and Birkby Road. The Cavalry Arms Public House adjoins the junction of Halifax Road and East Street. The Church of Jesus Christ of Latter-day Saints adjoins the junction of Halifax Road and Birkby Road, the boundary being formed by a stone wall. There are no Listed Buildings within the Area but there are three Listed Buildings further west on East Street. The southern part Area B is within the Edgerton Conservation Area. The junction is also characterised by mature Category A and B trees on Birkby Road, the northern side of East Street and the eastern side of Halifax Road. The trees on the northern side of Birkby Road lie outside the conservation area and are unprotected by TPO, while those south of Birkby Road are situated within the conservation area. Those north of East Street are protected by TPO.
- 2.3 Area C – Prince Royd - This Area is situated to the north of Area B. It is a predominantly residential area with houses on both sides of Halifax Road. To the west of 103 Halifax Road is an area which is clear of vegetation and from which there is an access to open space to the south / south west. There are no Listed Buildings within the Area but part of Area C is within the Edgerton Conservation Area. The site itself is predominantly characterised by sapling trees with a number of more mature trees at various locations within the site. Historic OS maps indicate that the site was once developed as a Brick & Tile Works until at least 1966.
- 2.4 Area D – Yew Tree Road to Ainley Top Roundabout - This area is situated around the junction of Halifax Road and Ainley Top roundabout and includes an area of open land to the south and west of the junction. The area includes the site of 123 Yew Tree Road, a residential property acquired by the Council and which was subsequently demolished. A boundary wall at this property has recently been subject of collapse. There are no Listed Buildings, other designated heritage assets or protected trees within or immediately adjacent to Area D that would be impacted by the proposed development.

3.0 PROPOSAL:

3.1 In Area B, the proposed development constitutes the following:

- removal of a wide stagger on the east-west approaches at the East Street / Birkby Road / Halifax Road junction;
- widening would be carried out on the northern side of Birkby Road to remove the staggered arrangement detailed above. This will provide for a more efficient junction allowing more green time to be given to the A629 Halifax Road;
- footways would be widened on the eastern side of Birkby Road as a result of the re-alignment, providing improvements for pedestrians;
- 18 trees would be removed from the grounds of The Church of Jesus Christ of Latter-day Saints and from within the garden of 402 Birkby Road. A tree replacement scheme is proposed as part of the scheme; and
- replacement street lighting;

3.2 In Area C, the proposed development includes the following:

- parking and loading restrictions between Cavalry Arms and Birchencliffe Hill Road;
- formalise on road parking on northern side of Halifax Road;
- create off road car park on southern side of Halifax Road;
- use of the parking areas referred to above would be controlled via permit parking zones for residents and visitors only; and
- parking would be prohibited on the remaining sections of highway between Cavalry Arms and Birchencliffe Hill Road with loading permitted between 11am and 3pm and between 8pm and 5am on some sections;
- twenty (20 no), 22Kw fast charging electric vehicle charging points would be installed within the Area; 12 within the car park and 8 along Halifax Road;
- an existing watercourse running through the site would be diverted beneath the proposed car park, installation of attenuation facilities and associated maintenance works; and
- replacement street lighting.

3.3 In Area D, the proposal includes the following:

- road widening between Yew Tree Road and Ainley Top roundabout to provide two approach lanes. These will cater for traffic heading north towards Halifax; west along the A643 Lindley Moor Road; and to the east along the A643 Brighouse Road;
- a left slip would be provided, spurring from the new approach lane to cater for traffic joining the M62 at junction 23 via Blackley New Road;
- pedestrian and cycle improvements including a segregated cycle track (northbound) between Yew Tree Road and Ainley Top roundabout;
- parking restrictions on Halifax Road and Yew Tree Road;
- the installation of drainage attenuation systems;
- planting of a woodland; and
- replacement street lighting.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 The following planning applications are pertinent to matters determined under 2021/92734's red line boundary:

2018/93328 - Prior notification for demolition of existing building - 123, Yew Tree Road, Birchencliffe, Huddersfield, HD3 3QR – Demolition Details Approved

2021/92745 - Listed Building Consent for alterations to the boundary wall (within a Conservation Area) at 6 and 6A Edgerton Road, Edgerton, Huddersfield and at 202 Blacker Road, Edgerton, Huddersfield (within Area A of A629 Road scheme). - Application Withdrawn

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

5.1 The following amendments to the application are summarised below:

- Removal of the proposals comprising Area A at the junction between Edgerton Road (A629), Edgerton Grove Road and Blacker Lane owing to unacceptable arboricultural impacts.
- Improved replacement tree planting within Area B to account for the loss of trees adjacent the Church of Jesus Christ of Latter-Day Saints and 402 Birkby Road (north of Birkby Road and north-east of Halifax Road).
- Provision of 3 street trees in Area C and dry stone walls to the car park;
- Revised documentation reflecting changes to assumptions following removal of Area A from the improvement programme;

6.0 PLANNING POLICY:

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Kirklees Local Plan (2019):

6.2 Through its own technical work, the council has identified schemes throughout the district required to mitigate the transport impact of the Local Plan, in some instances where land might be required to deliver highway improvement schemes or traffic management schemes. Proposals will be encouraged where they assist to bring forward strategic transport infrastructure where possible, particularly where they would directly benefit from these schemes.

6.3 The A629 is identified as a key route under Policy LP19 and consequently a part of the West Yorkshire Key Route Network (WYKRN). The WYKRN is classified on the basis of the following criteria:

- 1 the core network where vehicle flows exceed 20,000 vehicles per day; and
- 2 roads that perform strategic functions on a regional basis by:

- connecting West Yorkshire Core and Key Centres together;
- connecting these Centres to the Core District Centres within Leeds City Region and adjacent City Regions;
- connecting these Centres to Leeds-Bradford International Airport;
- connecting these Centres to the National Strategic Network and its emergency diversion routes;
- performing ring road/bypass functions around the five Core District Centres, Key Centres and primary Urban Areas.

6.4 As set out in paragraph 10.32 of the Local Plan, the council will seek to encourage development that is strategically placed along these core routes and will endeavour to improve and maintain the routes under the council's duty. The council will seek to improve and maintain these core routes, reduce congestion and implement the user hierarchy approach in all schemes to encourage a modal shift from private car use.

6.5 Relevant Local Plan Strategic Policies are:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP4 – Providing infrastructure
- LP19 – Strategic Transport Infrastructure – TS4 – A629 Halifax Road (Huddersfield to Halifax Corridor)
- LP20 – Sustainable Travel
- LP21 – Highways and access
- LP22 – Parking
- LP23 – Core walking and cycling network
- LP24 – Design
- LP27 – Flood risk
- LP28 – Drainage
- LP30 – Biodiversity and Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP33 – Trees
- LP35 – Historic Environment
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land

6.6 Relevant Local Plan Allocation Policies are:

Site TS4 – A629 Halifax Road (Huddersfield to Halifax Corridor)

‘Junction improvements at Blacker Road and East Street with the A629 (Cavalry Arms) and route traffic management, including reorganisation between Huddersfield Ring Road and Ainley Top.

Impact for Kirklees: Accommodates growth from Local Plan allocations north of Huddersfield and supports more efficient commuting between Halifax and Huddersfield, as well as better access to the two centres to/from the M62. This would support employment growth. Businesses in Calderdale and Kirklees would become better connected to labour markets across West Yorkshire.

Scheme Detail: Improvements at the following locations:

- A629/Halifax Road/Blacker Road (to reduce congestion at Blacker Road/St John's Road due to rerouting to avoid the A629)
- A629/East Street (Cavalry Arms)
- Ainley Top'

Supplementary Planning Guidance / Documents:

6.7 Kirklees' SPDs and any other evidence base and guidance relevant to this application are set out below:

- Kirklees Biodiversity Net Gain Technical Advice Note (TAN) – June 2021;
- Kirklees Highway Design Guide – Supplementary Planning Document – November 2019; and,
- Transport Model - Technical Paper – November 2015 (Kirklees Council Planning Policy Group)

National Planning Guidance:

6.8 The following national guidance documents are applicable to this development proposal:

- National Planning Policy Framework (NPPF) – Chapter 2 – Achieving Sustainable Development;
- NPPF – Chapter 4 – Decision-making;
- NPPF – Chapter 9 – Promoting Sustainable Transport;
- National Design Guide & National Design Code Parts 1 & 2;
- Planning Practice Guidance – Notably the following sections:
 - Transport evidence base in plan making and decision taking;
 - Travel Plans, Transport Assessments and Statements;
 - Tree Preservation Orders and Trees in Conservation Areas;
- Design Manual for Road and Bridges

Other Material Considerations

6.9 The site also includes Air Quality Management Areas designated by DEFRA. These are as follows:

AQMA 3 - incorporating Halifax Road (A629), Lindley Moor Road (A643), Warren House Lane and Stirling Wood Close, and is in close proximity to the Ainley Top Roundabout at Birchenclyffe.

AQMA 6 -incorporating Edgerton Road (A629) and Blacker Road, which is in close proximity to Huddersfield Town Centre

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been publicised in accordance with the Development Management Procedure Order 2015 (as amended). Three rounds of publicity have been undertaken by the LPA, one following the initial submission of the application in July/August 2021, a further full round of consultation (consisting of neighbour letters, site notices and a press advert) was undertaken two years later in July/August 2023. The second round of consultation included the neighbours affected by the initial Area A proposals to notify them of the removal of Area A from the development proposal. A third and final limited round of publicity consisting of only neighbour letters to those impacted by development proposed in Areas B, C and D was subsequently undertaken to inform them of the updated information pertaining to the Air Quality Impact Assessment and minor improvements to the hard and soft landscaping proposals in these locations. Overall, 317 representations have been received in response to the proposed development.

7.2 In respect of the initial round of publicity, the following summary of representations is set out below:

OBJECTIONS –

Transport Matters

- The proposed improvements are not required on the basis that traffic levels are in decline (potentially on account of altered travel patterns due to the Covid-19 epidemic) and the scheme may exacerbate the existing traffic situation through ‘induced demand’;
- Demographics indicate that travel patterns/levels will not increase in Huddersfield as the working age population will not change in the medium/long term;
- Investment in the A629 phase 5 scheme should be altered to provide delivery of modal shift and more sustainable forms of transport across this network corridor;
- The development should include speed limit reductions to 20mph to further promote Active Travel by making routes safer and would potentially allow for dedicated cycle lanes;
- The development does not provide sufficient reductions in congestion or journey times to warrant the intervention and its negative impacts – a number of representations provide critiques of the journey time improvement and fundamentally question whether the investment, particularly around Area A, is warranted given that the greatest time saving is provided in Area D at Ainley Top;
- Lack of investigation into the benefits of alternative options considered under the modelling of Area A – notably ‘Option 1C’;
- The scheme is not in accordance with the travel hierarchy and prioritises vehicles above pedestrians, cyclists and public transport – the lack of cycling provision is a missed opportunity – priority to the delivery of Phase 4 of the A629 should be conducted prior to Phase 5 – many representors also cite a preference for increased public transport provision along the route instead;
- The proposed development does not meet LTN1/20 or the Manual for Streets;
- Lack of consideration in respect of pedestrians, cyclists or vehicles turning onto the A629 from Birchencliffe in Area C and from Yew Tree Road in Area D;
- Lack of a local traffic management scheme to manage the A629 and its tributaries;
- The proposed interventions in Area A, by means of speeding up journey times, would likely incur poorer highway safety outcomes;
- Objection to yellow lining at various locations of the route due to the removal of right of local residents to park their vehicles on the highway. Locations include Birchencliffe Hill Road, Yew Tree Road;
- Congestion along the route considered to be overstated by representors;
- Parked cars on the A629 are not viewed as slowing vehicle speeds, particularly;

Arboricultural & Ecological Matters

- Widespread concern and condemnation in respect of the removal of ‘iconic’ mature trees at the Blacker Road/Edgerton Road Junction in Area A to facilitate the highway improvement scheme (including a petition with over 3,000 signatures); appearance, air quality and habitat availability in this location;

- Concern in respect of tree loss within Area B, though not as significantly felt as proposed in Area A;
- Mature/veteran trees cannot be replaced with new planting as the two are incomparable;
- The Woodland Trust classify some of the implicated trees as being of a veteran or notable standard on account of their size and condition and that wholly exceptional reasons have not been forwarded to justify their removal, contrary to national and local policy requirements (the trees identified by the WT are T73, T137, T4, T5, T48, T61, and T63);
- The loss of mature trees will negatively impact habitats and wildlife;
- The replacement woodland is insufficient to offset the amenity and biodiversity loss incurred by the removal of the mature trees in areas A and B;
- Inaccuracies and methodological issues within the BNGA;

Heritage/Design Matters

- Tree loss will negatively impact the street scene in Areas A and B;
- The scheme will have negative impacts/degrade the character of designated heritage assets in and adjacent to Areas A and B;
- The loss of trees along the A629 will serve to reduce one of the more attractive routes and gateways into Huddersfield;
- The replacement planting screen has significant issues, including the planting of non-native species;

Residential Amenity & Environmental Health Matters

- Potential for the scheme to increase carbon emissions through 'induced traffic' demand and loss of carbon 'sinks' in respect of mature tree removal as well as the impacts attributable to the road construction itself;
- Impact of loss of trees not considered under the AQIA;
- The submitted AQIA does not indicate that Air Quality will be improved, and may be worsened at 14 of the 23 receptors;
- Noise impacts due to the adoption of electric vehicles will occur regardless of this scheme coming forward, the same effects will be incurred in respect of Air Quality resulting from adoption of electric vehicles;

General Objections

- The scheme does not represent value / is a waste of public money and has limited economic benefits;
- There should be a reappraisal of the cost/benefit of the proposed highway improvement scheme along the A629 as the money could be better spent elsewhere;
- The proposal has been devised in advance of the Kirklees' declaration of a Climate Emergency and therefore the development should be re-evaluated in light of this;
- Evidential/methodological issues with the Carbon Impact Assessment and production of 36,000 tonnes of Carbon is not justified;
- Lack of openness in respect of the content of the application which is exacerbated by the number of documents that are unclearly labelled or indexed – The data of some reports is also significantly out of date or the assumptions are incorrect (i.e. the AQIA & Climate Impact Assessment);

GENERAL/SUPPORT

- A number of representors support the interventions proposed at the Ainley Top Roundabout in Area D, particularly the provision of cycle ways and more planting.
- A number of representors support the removal of on-street car parking from specified locations within Area C from Cavalry Arms junction to Birchencliffe Road.
- Speeding up traffic will reduce pollution and help reduce congestion in the identified areas, improved signalisation will prevent queues backing up on to the M62 slip road;
- Addition of yellow lining on Yew Tree Road will improve access across the junction;

The comments of the Huddersfield Civic Society are considered to be captured in the summary above.

7.3 In respect of the second round of publicity, the following summary of representations have been received:

OBJECTIONS

Transport Matters

- Objection to yellow lining at various locations of the route due to the removal of right of local residents to park their vehicles on the highway. Locations include Birchencliffe Hill Road & Yew Tree Road ;
- Citation of the difficulty of turning onto Halifax Road from Yew Tree Road due to the frequency of vehicle movements;
- The volume of recent residential development on Yew Tree Road and Burn Road has made traffic congestion worse in the local area;
- Concern in respect of the delay to implementing Phase 4 of the A629 improvements scheme which concern Active Travel;
- The cited journey improvement times shall be nullified by buses stopping;
- The scheme does not amount to a significant reduction in journey times, a representor highlights that the removal of Area A from the proposed development nullifies the scheme's journey time reductions and thereby the scheme's benefits do not outweigh the negative impact of the development;
- More speed cameras should be provided for safety purposes on Halifax Road;
- The scheme should be replaced with improved public transport provision;
- The development will create induced traffic demand;
- Lack of inclusion of dedicated cycle-way capacity in line with the requirements of LTN1/20 in the design of Phase 5 of the A629 is contrary to national policy;
- Phase 4 active travel scheme should come forward before Phase 5 on account of the number of short journeys undertaken across the A629 and the high-density residential area it transits;
- Pedestrian islands along the route are unsafe;
- There is capacity for cycle lanes along most of the A629 should hatching and pedestrian islands be removed;
- The speed limit should be reduced from 40mph to 30mph to help traffic flow and make the road safer for active travel users;
- The scheme should include an upgraded crossing at Yew Tree Road to accommodate pedestrian and cycle users in order to account for the increased residential developments on both sides of Halifax Road in Birchencliffe & Lindley;

Arboricultural & Ecological Matters

- Objections to the removal of the woodland within Area C on the basis of its noise reduction qualities and ecological habitat for multiple species;
- An objection to the loss of mature trees at the Cavalry Arms junction on account of the impact to the loss of amenity, habitat for wildlife as well as the resultant impact on air quality and increase in carbon emissions;
- Representors highlight that the proposal is contrary to Policy LP33 Trees of the Local Plan as trees of significant amenity should be retained;
- Insufficient assessment of the potential threat to bats;
- Multiple general objections to the felling of trees to facilitate the development, some representations highlight the contrary nature of removing trees and Kirklees having declared a climate emergency;
- Perceived reduction in the Ainley Top mitigative planting scheme relative to the initial submission;
- Concern in respect of the time necessary for new planting to fully replace the removed trees;

Heritage/Design Matters

- The scheme will impact 'old buildings' and the loss of trees will harm the character of the Birkby and Edgerton Conservation Area across Halifax Road;

Environmental Health Matters

- NOx levels will increase as a result of this development;
- Noise pollution will increase as a result of this development;

General Objections

- Huddersfield Civic Society have requested an extension to the publicity period from the 4th August 2023 to allow for further consideration of the application (note the 4th August was the expiry date for the Site Notice and the 18th August was the expiry for the Press Advert);
- Negative impact on house values;
- Citation of various issues concerning the removed Blacker Road Junction improvements (Area A)
- Views expressed that the development contravenes the Council's climate emergency declaration;

GENERAL/SUPPORT

- A resident of Halifax Road set out the highway safety implications of having parked cars on-street opposite the Tesco Express on Halifax Road. They requested that improvements for the purpose of protection from vehicles would be preferred but were imprecise as to what these could be;
- Support for the Area C car park as it is considered the most effective of all the interventions at improving traffic flow through the removal of on-street parking;

7.4 At the time of concluding this report for the final agenda of the Strategic Committee, the responses to the third round of publicity are as follows:

- Junction alterations are unnecessary as they destroy the trees and character of Halifax Road and Edgerton Conservation Area whilst failing to meet Policies LP2, LP24 and LP35 of the Kirklees Local Plan;

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways Development Management

No objections, the consultee supports the proposed development for the purpose of improving the flow of traffic along the A629 Halifax Road.

Lead Local Flood Authority

No objections to the proposed development.

8.2 Non-statutory:

KC Conservation & Design

The consultee welcomes the removal of area A from the proposed development and has provided a response which confirms that the impacts of the scheme amount to less than substantial harm to designated heritage assets which are outweighed by the public benefits of the development. Advice on conditions provided.

KC Ecology

No objection to the submitted EclA and BNGA supporting the proposal and conditions suggested.

KC Environmental Health

No objections subject to conditions. Discussions on-going in relation to the Air Quality Impact Assessment, more information to be provided through the Committee Update on Wednesday 1st November 2023.

KC Landscape

Advisory comments provided

KC Trees

Advisory comments provided

9.0 MAIN ISSUES

- Principle of development
- Transport Matters
- Urban Design, Heritage, Landscaping, Ecology and Arboricultural Matters
- Residential Amenity and Environmental Health Matters
- Drainage Matters
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The development proposed is to accommodate growth from Local Plan allocations and to support more efficient commuting between Halifax and Huddersfield as well as better access to the two centres to / from the M62. It would amongst other things support employment growth and better connect businesses and labour markets across West Yorkshire and would mitigate, facilitate and support growth in accordance with Adopted Local Plan policies LP19 (strategic transport infrastructure) and policy TS4 (Halifax Road Huddersfield to Halifax Corridor), thereby delivering infrastructure capacity needs arising from the Plan and provide a range of further benefits. In assessing the application against the Development Plan, for the purposes of section 38(6) of the Act, the question is whether the scheme is in conflict with the Development Plan as a whole. In this respect the scheme seeks to deliver strategic transport infrastructure identified in Development Plan policy LP19 and in turn Development Plan policy TS4.
- 10.2 On the basis of the above, the proposal is acceptable in principle subject to a review of other material considerations set out within the Local Plan, notably transport, visual and residential amenity, heritage, environmental, arboricultural, ecological and drainage factors.

Transport Matters

Transport Context

- 10.3 As part of the 'City Deal' between West Yorkshire, York and central government, a new Transport Fund of £1billion targeted specifically to increase employment and economic growth across the region, has been created. The West Yorkshire Plus Transport Fund (WY+TF) identified a Core 10-year Package of measures that would enable change and deliver economic growth in the short to medium-term. In developing the West Yorkshire Transport Fund (WYTF) programme, an initial list of 120 projects were assessed against the key objectives of the fund, these being to increase employment and overall economic growth (Gross Value Added, GVA) whilst also achieving two employment accessibility minima:
- A better than average improvement in employment accessibility for residents in the most deprived 25% of West Yorkshire (WY) communities, and
 - Every West Yorkshire District to gain an average improvement in employment accessibility no less than half the average across the District.

- 10.4 Following this assessment, 53 projects were taken forward for appraisal and ranked according to performance in GVA terms. The A629 Halifax to Huddersfield corridor was ranked 18 out of 53 and forecast to create 1740 jobs by 2026, relieve congestion, reduce journey times for general traffic, improve pedestrian and cycling accessibility, and achieve a 50% reduction in end-to-end journey times for buses.
- 10.5 The A629 Halifax to Huddersfield Corridor comprises a multi-modal corridor improvement scheme which has been allocated £120.6m to drive economic growth by addressing transport and accessibility issues. Kirklees Council and Calderdale Council are jointly developing the range of interventions proposed along the corridor, which at pro forma stage envisaged:
- Road space re-allocation (bus priority) and capacity and operational improvements, particularly to allow commercial vehicles to get to their destinations quickly and efficiently),
 - Major junction improvement at the A629 / A6026 Calder and Hebble junction, and other key pinch points along the corridor,
 - Improvements to Junction 24 of the M62 (Ainley Top),
 - Improvements to the strategic accessibility and public realm within Halifax Town Centre to deliver regeneration and growth aspirations,
 - Introduction of express bus services between Halifax and Huddersfield,
 - Development of a Park and Ride facility at Junction 24, and
 - Gating at strategic points along the corridor to manage access and flows
- 10.6 In prioritising the scheme alongside others put forward at the time of the Fund's inception, justification for the investment was provided using evidence from West Yorkshire Combined Authority's Urban Dynamic Model (UDM). This forecast the scheme's ability to unlock development potential in Calderdale and Kirklees, creating 1,740 jobs by 2026. Such benefits were predicted as achievable on the back of a range of scheme outcomes, including congestion relief, reduced journey times for general traffic, improved pedestrian/cycle accessibility and a 50% reduction in end-to-end journey times for buses.
- 10.7 Delivery of the full corridor strategy would take several years to realise due to the complexity and extent of the numerous proposals. The scheme has therefore been split into several phases, as separate projects, for the purposes of development, as shown below. The development proposed under this application relates to Phase 5:
- Phase 1: Southern Section (Elland Bypass to Free School Lane),
 - Phase 2: Halifax Town Centre,
 - Phase 3: Free School Lane into Halifax,
 - Phase 4: Ainley Top (M62 Junction 24) and wider strategic interventions (currently paused),
 - Phase 5: Ainley Top into Huddersfield

Need for the Proposed Development

- 10.8 Previous studies of the corridor and anecdotal evidence have identified delay and queuing issues at three locations, these being:
- New North Rd / Blacker Road junction [note that interventions at this location have been removed from the proposed scheme of interventions],
 - Halifax Road / East Street Junction (Cavalry Arms), and
 - Approach to Ainley Top roundabout.

- 10.9 A detailed strat-e-gis Analysis was undertaken in January 2016. For this analysis, 40 links were selected for the northbound direction and 39 links selected for the southbound direction for each hourly period over a 12-hour period between 7am and 7pm.
- 10.10 A For the northbound direction, the observations from the journey time assessment were:
- Undelayed journey time (between 2am and 3am) = 3 mins 54 seconds;
 - Average Journey Time between 7am and 7pm = 07 mins 15 seconds; and
 - **Average Delay between 7am and 7pm = 03 mins 21 seconds.**
- 10.11 In the northbound direction, the highest proportion of journey time delay of 60%, was observed between 7am and 8am with an average speed of 15.6mph. For the PM, the highest proportion of journey time delay of 57%, was observed during 4pm and 5pm, with an average speed of 14.9mph
- 10.12 Similarly, for the southbound direction, the observations from the journey time assessment were:
- Undelayed journey time (2am to 3am) = 3 mins 45 seconds;
 - Average Journey Time between 7am and 7pm = 6 mins 21 seconds; and
 - **Average Delay between 7am and 7pm = 02 mins 36 seconds.**
- 10.13 In the southbound direction, the highest proportion of journey time delay of 63%, was observed between 8am and 9am, with an average speed of 14.6mph. In the PM, the highest proportion of journey time delay of 49%, was observed during 4pm and 5pm, with an average speed of 18.9mph.
- 10.14 The journey time analysis indicated higher delays in the northbound direction than in the southbound direction, with an average delay along the corridor of 3 minutes 21 seconds for northbound travel, and 2 minutes 36 seconds for southbound travel. The delay in the peak period direction is higher, with almost 7 minutes northbound and almost 6 and a half minutes southbound. The areas identified for intervention from this study were:
- Yew Tree Road to Ainley Top Roundabout (Area D);
 - Cavalry Arms to Birchencliffe Hill Road (Area C);
 - Cavalry Arms Junction (Area B); and
 - Blacker Road / Edgerton Road Junction (Area A) [note that interventions at this location have been removed from the proposed scheme of interventions].
- 10.15 A subsequent Street View analysis, site visits and a single night-time drive (around midnight) was undertaken to identify any physical constraints such as geometry, on street parking, highway widths and bus stop locations that may be contributing to delays. The nighttime drive was to understand if any on-street residential parking might be taking place. In summary, the findings identified junction geometry and substandard lane widths as possible contributors of delay at Blacker Road / Edgerton Grove Road junction and at Birkby Road / East Street junction. These issues, along with on-street parking (day and night) are the likely causes of delay between Birkby Road/ East street Junction and Birchencliffe Hill Road junction; and south of Blacker Road/Edgerton Grove Road junction, along with capacity constraints of the junctions themselves. On-street parking and pedestrian islands within the vicinity of bus stops were also found to be likely to be contributing to delays due to the inability to overtake

10.16 Site visits identified that on-road parking, between Birchencliffe Hill Road and the Cavalry Arms junction, that takes place on both sides of the road, mainly in front of residential properties, causes traffic to become congested and queues to develop back towards the Cavalry Arms junction. To assess the situation, video surveys of this section of road were carried out on the 10th, 11th, 12th and 17th, 18th, 19th May 2016. The video surveys indicated that vehicles:

- Parked on both sides of the road,
- Severely obstructed the footways,
- Are mainly associated with residents with some arriving and leaving during peak hours but that some arrived and departed or stayed throughout the day; and
- Large vehicles, such as HGV's and buses were prevented from passing opposing vehicles without slowing down or stopping due to parked vehicles restricting the road width.

10.17 In respect of traffic volumes, 'Manual Classified Counts' using video surveying techniques were carried out on the 12th May 2016, at the following junctions:

- **JTC Site 1** - A629 New North Road/ A629 Edgerton Road / Blacker Road / Edgerton Grove Road, (Area A)
- **JTC Site 2** - A629 Halifax Road / East Street / Birkby Road, (Area B)
- **JTC Site 3** - A629 Halifax Road / Birchencliffe Hill Road/Burn Road, (Area C)
- **JTC Site 4** - A629 Halifax Road / Yew Tree Road, (Area D)
- **JTC Site 5** - A629 / Ainley top Roundabout (partial) (Area D)

10.18 The surveys identified that there were no specific peak periods, based on traffic volumes, at the junctions on the main line as traffic volumes increased steadily throughout the day (0600-1800) in both northbound and southbound directions. Peak hour periods have therefore been determined based on the period with the worst delay identified in the 2016 strat-e-gis analysis. The peak periods along with traffic volumes for Sites 1 to 4 and the total corridor delay for the respective peak periods are shown in Table 1 below:

Junction Count Sites	1 / A	2 / B	3 / C	4 / D	Strat-e-gis 2016 Total Corridor Delay (Minutes:Seconds)
Peak Periods	Total Junction Traffic Volumes (Number of Vehicles)				
AM Northbound 7am to 9am	1730	162	182	219	5:51
AM Southbound 8am to 9am	2123	181	160	183	6:27
PM Northbound (4pm to 5pm)	2359	189	201	219	Northbound = 5:05
PM Southbound (4pm to 5pm)	2359	189	201	219	Southbound – 5:39

(Table 1 represents peak periods, traffic volumes per area and total corridor delay bi-directionally)

- 10.19 Most of the traffic arriving at Site 5 (Ainley Top) from a northbound direction was found to be joining the network from Areas A and B from the south, as would be expected. However, a significant volume of traffic was also joining the network from the junctions within Areas C and D, and mostly from the west of Halifax Road. There are large residential areas to the south west and west of Halifax Road and some traffic radiating from these residential areas may be avoiding, the signalled junction of Halifax Road / East Street / Birkby Road within Area B, in favour of the give way priority junctions in Area C and D.
- 10.20 Whilst traffic volumes at the junctions within Areas A, B and C were found to be rising throughout the day; at the junction within Area D (Halifax Road / Yew Tree Road), the western arm had a peak flow of 293 vehicles between 7am to 8am dropping to 134 between 8am to 9am with a range of between 40-80 vehicles per hour for the rest of the day. The peak period at this junction (Site 4) is 7am to 8am which re-affirms the same period based on worst delay.
- 10.21 A review of the video surveys indicated that at the junction of Halifax Road and Yew Tree Road in Area D, between 7am and 8am and to a lesser degree between 8am and 9am, traffic on the main line slowed and/or stopped to allow traffic to join the mainline flow from the west (Yew Tree Road). This behaviour, together with cross movements from a petrol station, hotel, Tesco Express and other side roads between Birchington Avenue and Birchencliffe Hill Road seemed to have a ripple effect of stop / start behaviour causing queues to develop along the corridor beyond Birchencliffe Hill Road towards Cavalry Arms. After the period of 7am to 9am, traffic volumes joining from Yew Tree Road dropped significantly whilst traffic volumes through Cavalry Arms junction increased throughout the day, and at Birchencliffe Hill Road, traffic remained reasonably constant, but a similar stop/start ripple effect was not observed. This would suggest that traffic joining Halifax Road from the West at Yew Tree Road is contributing to northbound delays during the period 7am to 9am.

Public Transport Situation

- 10.22 There is typically a 10-minute bus service along the corridor between Halifax and Huddersfield. This service is currently provided by First via service 503. There is also an evening service provided by Yorkshire Tiger via the 501. Congestion and delay along the corridor have a detrimental impact on the reliability and level of service for buses and it is anticipated that reducing delays at the key locations, identified through the journey time analysis, will help to improve journey time reliability.
- 10.23 In terms of bus stop standards, a bus stop review was undertaken in 2012, following which, the bus stops along the A629, where feasible, were upgraded to meet Metro's Bus Stop standards. This included raised kerbs, clearways, and in some instances, new shelters. New pedestrian islands were also introduced at some locations to enable safer crossing of the road, thus making the stops more accessible. However, the presence of some of these Islands contribute to some of the delay experienced along the corridor as vehicles are unable to overtake a stationary bus in conjunction with opposing traffic.
- 10.24 Phase 4 of the A629 Halifax to Huddersfield project will consider an express bus service between Halifax and Huddersfield and it is envisaged that a further review of bus stop provision and location will be undertaken through the Phase 4 project.

Road Safety Evidence

10.25 Road Traffic Collision data has been analysed for a five-year period between 1st August 2010 and 31st July 2015. There were 49 Road Traffic Collisions (RTCs) reported during this period for the corridor between Fitzwilliam Street and Ainley Top. The number of incidents is disaggregated as follows:

2010 – 5 Accidents
2011 – 8 Accidents
2012 – 9 Accidents
2013 – 15 Accidents
2014 – 6 Accidents
2015 – 6 Accidents

10.26 Between 2010 and 2013 the number of RTC's rose steadily between 2010 and 2012 from 7 to 9 with a sharp increase (almost 50%) to 15 but has fallen back to 6 per year for 2014 and 2015. Out of the 49 RTC's, six were serious with the remainder being slight; there were no fatalities. The serious incidents accounted for less than 0.75% of the total Killed or Seriously Injured (KSI's) (755) in Kirklees over the same period. Of the serious incidents, 4 involved cars, one involved a car and an HGV; and one involved a car and a pedal cycle.

10.27 Fifteen (15) accidents were caused by driver 'behavior or inexperience', 12 accidents were caused by driver error, 7 accidents were caused by 'impairment or distraction', 8 accidents were caused by 'injudicious actions', 3 accidents were caused by 'special conditions' and 4 accidents were caused by 'affected vision'. Based on the types and occurrences of accidents on the A629 the existing geometry or signage does not appear to be a contributory factor to incidents. Most accidents occurred where queues or slow-moving traffic was present, as opposed to the faster 40 mph section where no delays are present. This suggests that reducing the levels of queuing may reduce the risk of driver error/failing to look incidents.

10.28 Kirklees Council's Highway Safety team have also assessed the corridor and the recommendation from the assessment was a need for improved lighting at the Cavalry Arms junction; this work is currently being implemented.

Existing Sustainable Transport Facilities

10.29 Pedestrian facilities are generally considered good along the corridor. Footpath widths are between 1meter (m) and 2m with the latter being more typical. Footways exist on both sides of the road along the length of the corridor except for a southbound section commencing after the Holly Bank Road Bus Stop for approximately 215m until the Thornhill Road Bus Stop.

10.30 There are three pedestrian islands between Daisy Lea Lane and Cavalry Arms junction providing access to bus stops and six islands between Cavalry Arms junction and Ainley Top roundabout, installed mainly to prevent overtaking but which also serve as pedestrian crossing points. Moreover there is a pelican crossing between the Briar Court Hotel and the BP Petrol Station opposite. Meanwhile further pedestrian crossings are available across all four arms of the Cavalry Arms junction. However, the configuration of this junction means that pedestrian phases require an all-round red phase making the junction less efficient than with, for example a 'walk with traffic' configuration, whereby pedestrians wait on islands which incurs the disruption of only one lane of traffic at a time.

10.31 Whilst there are long sections of the A629 without any form of crossing facilities; those that do exist are situated on key desire lines. There are no requirements, from a highway safety perspective, for additional facilities to be installed. A request for three additional pedestrian islands was made to Highway Safety by some members of the public, these islands have since been installed outside of this project.

10.32 In respect of cycling facilities, there is no specific provision for cycling along the A629 other than advanced stop boxes at the signalled junctions of Cavalry Arms and Blacker Road junctions; and toucan facilities on the Ainley Top roundabout exit and approach arms. The toucan facilities enable cyclists to navigate the roundabout on shared use footways although there is no continuity of facilities into Calderdale. Indeed, surveys indicate that the numbers of people currently cycling on the A629 are extremely low. Manual Classified Counts (MCC's) undertaken on the 13 March 2015 for the Kirklees Strategic Model indicate that there may be up to 6 trips per day in both directions, as shown in table 2 below:

Site	Northbound			Southbound		
	0800 to 0900	1200 to 1400	1700 to 1800	0800 to 0900	1200 to 1400	1700 to 1800
76	0	4	2	1	2	2
154	0	1	1	0	2	1

Table 2 – hourly cycle flows – MCCs 13-02-2015

10.33 It must be noted that this is a one-day snapshot but given the lack of cycle infrastructure provision and high levels of congestion then it is not surprising to measure such low levels of cycling activity along the corridor.

Junction Specific Issues

10.34 The Area B (Birkby Avenue / East Street / Halifax Road) junction's traffic signals, operate with Microprocessor Optimised Vehicle Actuation (MOVA), which runs an average 2-minute cycle time in the peak periods. The east and west approach arms are staggered quite considerably and require separate stages. Because the side roads run sequentially, an extra stage of circa 25-30 seconds is required, equating to around 25% of the cycle time. Pedestrian crossings are provided on all four arms but require an all red signal phase. On average there are 10 calls per hour in the peak periods. The pedestrian stage subjects the junction to a 22 second penalty. Stacking capacity on the north and south arms is also limited, with poor right turn facilities. There are residential apartments to the northwest, a church to the northeast, a public house, and residential properties to the southeast and a residential property to the southwest. The Public House and residential properties to the southeast and southwest are within a designated Conservation Area. Trees within the Conservation Area are covered by Tree Preservation Orders.

- 10.35 Within Area C (between the Cavalry Arms Junction and the Birchencliffe Hill Road / Burn road Junction) residential properties flank both sides of the highway for much of its length accompanied by a car sales business, van hire business and a hand car wash business to the east. There is no off-street parking for most residential properties and whilst there is off street parking for the businesses, inevitably some patron's park on the highway. The consequences of this are that parking takes place on both sides of the road, meaning the width of road available for two-way traffic is compromised resulting in opposing traffic having to give way. The effect of this situation is that flow speeds are reduced; congestion occurs; traffic heading south cannot get to the Cavalry Arms junction; and traffic heading north queues back through Cavalry Arms junction. Existing footways are circa 1-1.8m wide and the residential properties are either directly abutting the highway or within up to 4m of the highway boundary. Properties are also at varying levels relative to the highway.
- 10.36 At Area D (Ainley Top and Yew Tree Road Junctions) the approach to the roundabout from Yew Tree Road consists of a single lane up to approximately 80m prior to the roundabout where it flares to create a two-lane approach. This is deemed to be insufficient to accommodate demand. Yew Tree Road crosses Halifax Road south of Ainley Top roundabout. Right turning movements are accommodated by a 30m long right turn lane shared in both directions.
- 10.37 Right turning movements onto Yew Tree Road interfere with the main line traffic in both directions; free flow in the northern direction is affected by drivers wanting to turn right across their path and free flow in the southern direction is affected by vehicles jutting out from the right turn lane due to insufficient capacity and ability to get into the lane. There are large volumes of traffic turning left out of the western arm of Yew Tree Road between 06:45-08:00 and for part of the 08:00-09:00 period. During these periods, traffic on the A629 tends to slow down or stop to give way to the traffic emerging from Yew Tree Road. On-street parking, access / egress to a Tesco store and bus stops south of Yew Tree Road also impact on traffic flow.

Chosen Interventions

- 10.38 The options for interventions in Areas B, C and D are discussed at length within Tables 15, 16, and 17 of Section 6 within the submitted Transport Assessment (TA). From the preferred options within the three tables, a long list of 14 options in Table 18 of the TA was provided that subsequently informed a 'short list' of preferred intervention options.
- 10.39 The 'short list' of options were initially evaluated for their journey time savings using Core Growth scenarios for a future forecast year of 2031 to ensure that the proposals were able to accommodate future demand aligned to the Local Plan period and determine the best performing combination of options. The results were then appraised according to Department for Transport's Transport Analysis Guidance and are confirmed in Table 3 below and within paragraphs 3.1, 3.2 and 3.3 of the report.

Cavalry Arms to Ainley Top
Area B - Realignment of the western and eastern arms of the Cavalry Arms junction to a more conventional crossroads (they currently have a large stagger) to reduce the inter-green periods thus increasing capacity
Area C - Prohibition of parking between the Cavalry Arms junction and Birchenclyffe Hill Road, together with provision of off-road parking for residents, with the latter numbering up to 24 spaces with provision for Electric Vehicle Charging Points
Area D - Increasing the length of the approach lanes to Ainley Top roundabout by 140m to create more capacity and ensure better flow of traffic towards and onto the roundabout
Area D - Provision of an extended left slip with signal control onto the roundabout, approximately 142m long, together with extended footways and segregated cycle lanes

Table 3 – Preferred Intervention Options

10.40 In respect of providing cycle provision improvements within Areas B and C, it has been assessed that it is not feasible to provide dedicated cycle infrastructure in these areas owing to the following limitations:

- substantial third-party land and property would need to be acquired;
- a significant number of trees, the majority of which are subject to TPO's or within a conservation area, would need to be removed;
- significant lengths of retaining walls, boundary walls and other boundary features, again many within a conservation area, would need to be demolished and rebuilt;
- properties may also need to be demolished
- substantial utility protection and diversion measures would be needed due to changes in levels and alignment of the highway.
- On street permit parking, that currently exists, would be lost.

10.41 Because of the above constraints, options have been considered as part of a separate phase (Phase 4) for the A629 between Huddersfield and Halifax town centres which focuses on improvements for walking, cycling and public transport. Phase 4 is not subject to scrutiny under the determination of this planning application.

Transport Modelling and Journey Time Reductions following Intervention

10.42 The network performance of the scheme has been appraised utilising the Kirklees Transport Model (KTM) and in accordance with Department for Transport Analysis Guidance. The highway model covers the whole of Great Britain but only the trips that start, end, or pass through Kirklees district and the local surrounding area are included in the model. The fully modelled area covers the existing highway network within Kirklees and the surrounding Leeds and peripheral area. The KTM is primarily a highway assignment model with a public transport assignment component. It was developed by AECOM in 2015 and is a Department for Transport's Transport Analysis Guidance (TAG) compliant model comprising of two supply models – highway (Simulation and Assignment of Traffic to Urban Road Networks - SATURN) and public transport (CUBE) together with a demand model. The Kirklees Transport Model, highway assignment model, was updated and validated for the Cooper Bridge West Yorkshire Transport Fund scheme in early 2019. For this study, the KTM SATURN model updated for the Cooper Bridge scheme assessment, has been used.

10.43 Three modelled time periods are used in the base year (2015) and are Ante meridiem (AM) peak (0800-0900), Inter-peak (IP) (the average hour of 1000-1600) and Post meridiem (PM) peak (1700-1800). Off-peak/overnight and weekend periods were not included in this study. **Core Scenario travel times are based on a comparison between the 'Do Minimum' (Without Scheme) and the 'Do Something' (With Scheme) scenarios for all forecast years and time periods (AM, IP and PM peaks).** To take account of the effect the improvements at Ainley Top (under Area D) would have on northbound traffic, the northbound section of the model length was extended beyond Ainley Top to the M62 diverge.

10.44 Consequently, the model reviews the journey time route between the approach to Ainley Top (M62 diverge) and New North Road along the A629 Scheme Corridor. The journey times along the corridor were analysed in order to ascertain the typical journey time saving that would result from implementation of the scheme. The results of the Core Scenario journey time analysis are presented in Tables 4 and 5 below:

Modelled Journey Time Savings Northbound (Do Something compared to Do Minimum)	Journey Time Savings (seconds) 8am to 9am (AM Peak)	Journey Time Savings (seconds) 10am to 4pm (IP – inter-Peak)	Journey Time Savings (seconds) 5pm to 6pm (PM Peak)
2023 (Scheme Opening)	43	20	63
2031 (end of Local Plan period)	88	24	70
2038 (15 year post scheme opening)	119	17	77

Table 4 – Northbound Modelled Journey Time Savings

Modelled Journey Time Savings Southbound (Do Something compared to Do Minimum)	Journey Time Savings (seconds) 8am to 9am (AM Peak)	Journey Time Savings (seconds) 10am to 4pm (IP – inter-Peak)	Journey Time Savings (seconds) 5pm to 6pm (PM Peak)
2023 (Scheme Opening)	13	11	17
2031 (end of Local Plan period)	6	7	30
2038 (15 year post scheme opening)	22	2	24

Table 5 – Southbound Modelled Journey Time Savings

10.45 By way of a summary of the results, the scheme provides a forecast maximum journey time saving in the northbound direction of 119 seconds in the AM peak in 2038. While in the southbound direction the maximum saving is 30 seconds in the PM peak in 2031. Based on the journey time survey data collected for the 2016 Strat-e-gis Model (set out in Table 1), subsequent analysis showed that in the AM peak period, the delay during the 07:00 to 08:00 hour was higher than in the 08:00 – 09:00 hour. As the Saturn highway model represents the 08:00 to 09:00 hour, there is potential that the journey time improvements during the 07:00 – 08:00 hour may be larger than those quoted in Tables 4 and 5 for the 08:00 – 09:00 hour.

Planning Policy Context and Decision-Making

10.46 Policy LP19 highlights that the ability to move goods and people is particularly important given the district's strategic position on the national motorway and rail networks, its links with regional facilities such as airports/ports and its central position between the Leeds, Sheffield and Manchester City regions. This gives the district a distinct locational advantage. Efficient access for goods and services is also a key factor in supporting the vitality of urban areas. The aim is to achieve a balanced and integrated transport network which makes the most efficient and effective use of road, rail and public transport. The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region. Development will be strategically placed along core networks where available and the developing core cycle network, all of which will be improved and maintained where possible to reduce congestion and reliance on the private car. Proposals will be encouraged where they assist to bring forward strategic transport infrastructure where possible, particularly where they would directly benefit from these schemes.

10.47 In respect of Sustainable Travel covered by Policy LP20, proposals should include measures to encourage the use of sustainable travel options, including public transport, the promotion of personal journey planning, walking, cycling, car sharing, electronic communication and homeworking.

10.48 Policy LP21 – Highways and Access of the Kirklees Local Plan is written typically in reference to built forms of development, not necessarily engineering operations, however it does require that new development ensure the safe and efficient flow of traffic within the development and on the surrounding highway network.

10.49 As concerns parking provision, Policy LP22 requires that all proposals are to provide full details of the design and levels of proposed parking provision. They should demonstrate how the design and amount of parking proposed is the most efficient use of land within the development as part of encouraging sustainable travel.

- 10.50 In addressing LP19 and TS4, the Phase 5 A629 scheme's benefits incur significant weight in favour of approval of the development on account of the journey time savings being incurred whilst demand on the network is increased. Likewise, the temporal limitations of the SATURN model potentially underestimate the quantum of journey time delay improvement that will be experienced by highway users. Under a 'do minimum' scenario, journey time delays will become significantly worse due to the Local Plan allocations that are committed to throughout the Plan period. By contrast, the journey time delay savings under the 'Do something' scenario should be seen in the context by which significant improvements to journey times are incurred despite greater volumes of traffic on the network. This situation thereby serves to future proof the highway corridor and prevent economic drag associated with economic growth in Huddersfield.
- 10.51 Without the Phase 5 scheme, the capacity improvements required for the Local Plan growth trajectory will be undermined and will potentially weaken the sustainability of development in Huddersfield and further afield. It is noted that the journey time delay savings are reduced on account of the removal of Area A from the scheme, however the savings are still substantial when viewed in the aforementioned context of increased demand on the network in the coming years which may otherwise incur increased delays. Likewise, the scheme improvements are a part of a wider cumulative package of improvements along the Huddersfield to Halifax corridor and therefore the SATURN-modelled delay reductions identified under this application should be viewed holistically alongside the improvements gained via the corridor's other improvements.
- 10.52 In responding to the requirements of Policy LP20, the scheme provides benefits for sustainable modes of transport, namely pedestrians, cyclists and bus users. Significant footway width and signalised pedestrian crossing enhancements across Areas B, C and D will serve to make journeys by foot safer whilst the removal of parked cars and the increased length of approach and turn lanes at key points along the A629 will improve bus journey times by preventing potential choke/conflict points. Again, these latter interventions will also serve to improve pedestrian and vehicular safety by allowing for better visibility across the highway network. It is admitted that cycle improvements are limited to Area D under this proposal, however the segregated cycle lanes at the southern side of Ainley Top are safer to use for cyclists at one of the busiest parts of the highway network than the existing shared footway arrangement. Similarly, significant cycle improvements are planned under Phase 4 of the wider Transport Improvement scheme.
- 10.53 As concerns the requirements of Policy LP21, it is considered that the purpose of the scheme concords with the requirements of this policy as the development is forwarded with the intention of ensuring the safe and efficient flow of traffic on the highway network.
- 10.54 The parking provision, notably that which is provided within Area C in the form of on-street permit parking and a designated 24 space car park is in accordance with Policy LP22 – particularly where the latter secures Electric Vehicle Charging Points for the purpose of encouraging electric vehicle use - which also accords with Policy LP20. The means of operation of the new car parking areas, including but not limited to the designation of spaces for residents, shall be controlled by condition.

10.55 It is noted that representations have objected to the loss of on-street parking at the eastern arm of Yew Tree Road and across a proportion of the southern side of Birchencliffe Hill Road – this is on account of residents along Halifax Road without dedicated off-street parking utilising tributary streets to park their vehicles. Overall the process by which the restriction of parking shall take place is something that is controlled under a Traffic Regulation Order and thereby subject to a separate legislative framework where local residents will be consulted on the parking restrictions proposed. Irrespective of this, from a planning perspective, the parking restrictions are for the purpose of making the operation of the highway network safer. On-street parked cars restrict traffic flow by narrowing the highway and further restrict visibility for pedestrians and motor vehicle operators. Crash Map data indicates that a serious collision occurred in 2021 at the junction between Halifax Road and the eastern arm of Yew Tree Road. As such Development Management Officers support the parking restrictions for the purposes of enhancing highway safety.

Conclusion

10.56 Overall, the proposed development complies with designated transport policies within the Local Plan and is attributed significant weight in decision-making terms for the application as a whole.

Urban Design, Heritage, Landscaping, Ecology and Arboricultural Matters

Heritage

10.57 Following the removal of Area A from the development proposal, the impact on designated heritage assets is significantly reduced. The following assessment of the heritage impacts will review the scheme on an area by area basis.

10.58 The proposed development within Area B has the potential to have a direct setting impact on 3 Listed Buildings on East Street as well as the Edgerton Conservation Area which passes across the southern aspect of the Cavalry Arms Junction but which does not extend across to the northern side of East Street or Birkby Road. The nearby listed buildings are as follows:

- Grade II listed 75 East Street [1211301];
- Grade II listed 77 East Street [1313852];
- Grade II listed 79 East Street [1211306].

10.59 In terms of direct impacts on the listed buildings within Area B, it is considered that there are no direct impacts and that limited effects on their setting have already been incurred by continuous development over time - most recently through the loss of open space directly opposite these buildings due to a modern residential development. In any case, the works on East Street are extremely limited and will likely serve to improve the appearance of East Street through resurfacing works thereby rendering the impact on setting and the significance of their special character negligible.

- 10.60 As concerns the impact of the proposed development on the Edgerton Conservation Area, no direct impacts are identified, however some limited impacts on the setting of the Conservation Area's character will be incurred through the loss of mature trees denoted as T5 through to T23 on the northern side of Birkby Road. These trees are not within the Conservation Area and are not protected by a Tree Protection Order. The harm incurred is considered to be less than substantial to the setting of the Conservation Area on account of their location and that replacement planting will be provided which will go some way towards ameliorating the harm incurred through the identified tree loss.
- 10.61 Area B is considered to have low potential for as yet unknown buried archaeological remains given the extensive development of this area over time. Any remains would also most likely be limited to earlier 19th century road construction and therefore of low value and of local significance.
- 10.62 In respect of heritage impacts incurred resulting from development proposed within Area C, the nearest designated heritage assets are as follows:
- No 96-102 Birchencliffe Hill [1134422];
 - No 13 Burn Road [1134340];
 - No 9 Rock Road [1231867];
 - No 15 Burn Road [1313797];
 - No 7 Rock Road [1231777]; and
 - Church of St Philip the Apostle [1231874]
- 10.63 The proposed development has negligible potential to have a direct physical or settings impact on the Grade II Listed Buildings within the Study Area. The most harm on setting will be incurred by 96-102 Birchencliffe Hill on account of the proximity of the Prince Royd car park relative to the listed buildings. That being said, the impact remains relatively negligible on account of the vegetation and distance separating the car park from the designated asset.
- 10.64 In respect of non-designated heritage assets, the impact on the redundant brick and tile works, from an archaeological perspective, will require a watching brief for the works covered by condition with submission of a written scheme of investigation. As concerns the harm to the non-designated milestone, this is not considered of significance.
- 10.65 The supporting heritage desk based assessment identifies No 25 Yew Tree Road [1432654], Yew Tree [1432672] and No's 173-179 Halifax Road (A629) [1313882] as within the study area. These assets are not within or adjacent to Area D and it is not considered that they would be directly harmed or would otherwise be subject to setting impacts as a result of the proposal.
- 10.66 There is potential, albeit low, for as yet unknown buried archaeological remains to be present within Area D. These would likely be associated with the Roman road or the post-medieval tanyard and could be of low to medium value and of local to regional significance. Intrusive works associated with repositioning or widening of footways or lanes would therefore have the potential to truncate or remove any such surviving remains. Given the potential for archaeological remains to be impacted by the Scheme, it is recommended that an archaeological watching brief is undertaken during the intrusive groundworks at Area D where they are expected to go below the level of modern disturbance and construction deposits. This fieldwork should be subject to a Written Scheme of Investigation (WSI) for the approval of the Principal Archaeologist at WYAS prior to commencement and will be combined with the same requirements for Area C.

10.67 Overall the harm identified to designated heritage assets across and adjacent to Areas B, C and D are less than substantial and they are significantly outweighed by the public benefits of the development set out in paragraphs 10.51 to 10.56. The scale of impacts incurred to identified non-designated heritage assets are minimal and will not significantly harm their significance. More widely in decision-making terms, the level of weight attributed to the negative heritage impacts of the scheme are determined to be limited and able to be sufficiently handled through appropriately worded conditions.

Arboricultural & Landscaping Matters

10.68 Policy LP33 – Trees of the Local Plan states that the Council will not grant planning permission for development which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks. Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed acceptable, developers will be required to submit a detailed mitigation scheme.

10.69 Under the original submission approximately 87 trees would have been implicated for removal within the confines of Area A. Significant local objections were received by the Local Planning Authority in response to this aspect of the proposal which were subsequently fed back to the applicant. By way of response, the applicant has taken onboard the significant local feeling in respect of the works proposed across the Edgerton Road / Egerton Grove Road / Blacker Road junction and decided to remove Area A from the proposal in its entirety. This evolution in the design of the A629 improvement scheme is welcomed by the Development Management department and significantly reduces the arboricultural harm, in public amenity, character and setting terms, incurred by the development proposal.

10.70 Within Area B the scheme proposes the removal of a line of prominent, mature trees located within the grounds of The Church of Jesus Christ of Latter Day Saints at the junction of Birkby Road and Halifax Road as well as those located within the front curtilage of 402 Halifax Road. In total 18 trees are to be removed to facilitate the junction re-alignment works, of which 3 of the trees (T10, T13 and T16) are Category A trees, 9 are Category B and 6 are Category C – none of the implicated trees are subject to a Tree Preservation Order or are cited within a Conservation Area. Meanwhile, there is also potential for pruning to be incurred for the trees within the Edgerton Conservation Area at the southern edge of the Halifax/Birkby Road junction. That being said, such measures are not identified in the submitted Arboricultural Impact Assessment for Area B and therefore any identified pruning would be required to be submitted under a separate tree works/conservation area application.

10.71 Within Area C, the scheme proposes the removal of 7 trees that are comprised of 2 Category B and 5 Category C specimens and these result from the creation of the Prince Royd car park for the benefit of residents on the south/western side of Halifax Road. The tree removal proposed under Area D totals 13 specimens consisting of 3 Category B trees and 10 Category C trees. The main location of tree removal is in the area beside the northbound carriageway of Halifax Road to the north of the plot of 123 Yew Tree Road as well as further removals in the south western verge of the Ainley Top roundabout.

10.72 Both KC Trees and KC Landscaping have provided advisory comments in respect of Areas B, C and D which critically analyses the set of proposals and provides commentary on the replacement planting schemes in Area B, C and D. Following negotiation, the replacement planting on the northern side of Birkby Road, in Area B, has been improved, from the original submission, to provide for a mix of large as well as medium tree specimens that should bestow a mix of heights and a improved arboricultural diversity relative to the 18 trees proposed to be felled. The replacement planting has been agreed with the occupier of 402 Birkby Road and representatives of the Church of Latter Day Saints. Consequently, the replacement scheme for Area B includes 15 heavy standard or semi-mature trees set out in the table below:

Tree Species	Common Name	Qty	Planted Height / Mature Height	Specification
Acer Campestre Elegant	Field Maple	2	5m / 12m	Semi-mature
Acer Platanoides	Norway Maple	1	5m / 25m	Semi-mature
Fagus Sylvatica Purpurea	Copper Beech	4	5m / 40m	Semi-mature
Prunus Avium	Sweet Cherry	2	3.5m / 20m	Heavy Standard
Prunus Padus	Bird Cherry	1	3.5m / 15m	Heavy Standard
Tilia Cordata	Small-leaved Lime	1	5m / >30m	Semi-mature
Carpinus Betulus Frans Fontaine	Narrow Hornbeam	1	5m / >25m	Semi-mature
Gingko Biloba	Gingko	1	8m / >25m	Instant mature
Betula Pendula	Silver Birch	1	5m / 30m	Semi-mature
Malus domestica	Apple	1	2m / >5m	Standard

10.73 The number of replacement trees proposed in Area B is reflective of the need to allow all of the planted specimens adequate room to grow in limited space. It should be noted that a root space system will be required by condition to provide further space beneath the footway to allow the trees within the former curtilage of the Church of Latter Day Saints to grow and reach full maturity.

- 10.74 In respect of Area C, both KC Trees & KC Landscape requested street trees be included within the car park layout as no mitigative planting was previously proposed. A subsequent amendment has included 3 such trees – the number being limited by the drainage infrastructure that crosses the car park. Nevertheless, details remain outstanding in respect of the species, specification and root protection of the 3 street trees – as such, condition 5 is recommended to secure these details. Further to this improvement, it has been identified that a 300mm pipe outfall between Man Hole 2 and Man Hole 3 may result in pressure to remove up to a further 10 trees in Area C to the north west of the car park. As a result a condition is required for a revised arboricultural impact assessment and method statement to minimise and retain as many of the additionally implicated trees in this area in order to install the outfall. In terms of boundary treatments to the car park, Development Management had previously expressed concern at the use of timber rail fencing across the car park. Overall, the proposed conditions make the interventions within Area C acceptable in planning terms.
- 10.75 As concerns Area D, the area of greenspace formed by the grazed paddock across the southern flank of Ainley Top roundabout will be reduced in favour of hard-surfacing for the purpose of installing the additional vehicular slip road and proposed segregated cycle route. The proposed native hedgerow and intermittent trees to the boundary, the proposed woodland copse, the woodland edge planting together with proposed wildflower areas, the linking path to existing woods and the Ainley Top play area will be a significant enhancement to establish native habitats for biodiversity. Overall, the visual gateway improvements for vehicles entering or exiting Huddersfield, either from the M62 or from Halifax Road, will be of significant benefit at a level that outweighs the removal of the 18 trees in and adjacent to the former curtilage of 123 Yew Tree Road.
- 10.76 A conflict was detected between the proximity of replacement tree planting with the proposed surface water storage tanks serving the newly expanded slip way and dedicated pedestrian and cycle ways across the southern aspect of Ainley Top Roundabout. It is understood that tree planting is typically avoided within 5 metres of statutory undertaker drainage assets as a preventive maintenance measure. However the applicant has explained that the drainage tank will remain a Local Highway Authority asset and that planting can be accepted in closer proximity to the holding tank(s). On this basis the design is considered acceptable by KC Landscape
- 10.77 As a whole, Development Management officers understand the strong feeling attached to the retention of significant tree specimens where their contribution in visual and public amenity terms is substantial. It is clear that the proposed tree loss and replacement planting scheme within Area B poses a loss of public amenity that would be contrary to Policy LP33. It is considered that the impacts in Areas C and D are of a lesser magnitude and are not contrary to Policy LP33 on the basis of the proposed or conditioned replacement planting schemes that would come forward.
- 10.78 Despite the material consideration of the impact of the development on public amenity within Area B and the setting of the Edgerton Conservation Area, planning decisions need to be made in a wide context of competing requirements that must be held and weighed in the planning balance. The applicant has made a significant concession in respect of the removal of Area A from the development proposal and this significantly reduces the scheme's

impact from an arboricultural perspective when viewed in contrast to the scale of the proposed development overall and what it is aiming to achieve (i.e. a safe and efficient highway network that accounts for the increased demand that the growth ambitions of the Local Plan will produce). As such, the weight attributed to the scheme being contrary to LP33 is reduced relative to the original submission that was inclusive of Area A. Similarly, it is felt that the attachment of suitably worded conditions to require tree rootspace below footway within Area B and a detailed management regime also go some way to lessening the weight attributed to the public amenity loss incurred in Area B, despite Development Management officers being cognisant that the mature trees to be removed would only be replaced in the fullness of time.

- 10.79 To conclude, the weight attributed to the development being contrary to Policy LP33 is not insignificant, albeit it is limited by the wider public benefits of the development proposal and the public amenity improvements to be achieved by the suggested conditions.

Urban Design Matters

- 10.80 Policy LP24 – Design of the Local Plan requires development proposals to consist of good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape, whilst providing a high standard of amenity for future and neighbouring occupiers.
- 10.81 Matters relating to heritage and soft landscaping have been sufficiently assessed in the previous sections, however matters relating to hard landscaping are outstanding. In this vein, the proposed works are predominantly welcomed by Development Management as the resurfacing of the highway and provision of updated lighting, signing and lining will improve the visual appearance of Areas B, C and D, of which the hard surfaces often compose >25% of an individual's view of the streetscene/townscape.
- 10.82 More widely other hard landscaping improvements to the originally submitted scheme have been made in the latest submission. In Area B, the re-building of the stone walls across the front boundaries of the Church of Latter Day Saints and 402 Birkby Road are welcomed as they are of significant benefit to the character of the streetscene. It was originally considered by Development Management that the stone boundary wall at the rear of the new tree planting within the former curtilage of the Church of Latter Day Saints should be moved back to provide further space for the trees. However KC Trees and Kc Landscape have advised that a below ground crate system below the footway would resolve this without the need for amendment to the wall location – this is recommended to be secured by condition.
- 10.83 Meanwhile, in Area C, the existing area where the car park is proposed to be located is characterised by a dry stone boundary wall at the rear of the footway. The 1800mm timber post and triple rail fence originally proposed across the northern and western boundaries of the car park has been replaced, through subsequent amendments, with a 300mm dry stone wall. However, the knee rail fence at the rear of the footway at the eastern side of the car park remains proposed. Both the retention of the knee rail timber fence and the 300mm height of the proposed stone walling is considered unsatisfactory compensation for the dry stone wall removed to make way for the car park.

- 10.84 Given the reduction in the quality of boundary treatments, revisions to the boundary treatments will be required by condition to provide for a stone boundary wall at the rear of the footway as well as an increase to the stone walls to 600mm in height, as opposed to the 300mm currently proposed. The recommendation of this condition makes the development in Area C acceptable from a design perspective.
- 10.85 The hard landscaping works proposed in the plot of 123 Yew Tree Road and across the southern aspect of Ainley Top Roundabout are considered to be of significant benefit to the streetscene. It is noted that the existing boundary wall between 123 Yew Tree Road and the highway is composed of natural stone, albeit the submitted landscaping details, other than an artists impression, clarify that the new retaining wall and rear of footway walls would be composed of 'stone'. To ensure that the highest visual quality is provided, a condition requiring the use of natural stone in these landscape features would be added to the list of suggested conditions in section 12 of this report.
- 10.86 The boundary treatment issues within Areas B and C are to be handled through a boundary treatment condition that will ensure the revised details set out in paragraphs 10.82 and 10.84 and this is also included in the list within section 12.
- 10.87 Overall the development has the potential, with a number of minor refinements to boundary treatments, to maintain and in some cases improve the quality of the streetscene across the A629 Halifax Road. On this basis, there are no reasons to refuse the application on urban design issues related to the requirements of Policy LP24.

Ecology Matters

- 10.88 An Ecological Impact Assessment (EclA) and Biodiversity Net Gain Assessment (BNG) have been submitted with the application.
- 10.89 The EclA details that there will be no ecological impacts brought about by the proposed development due to insufficient biodiversity conservation value or a lack of an identified pathway for potential effects to occur – consultation with KC Ecology has confirmed that this is acceptable relative to the requirements of Policy LP30 – Biodiversity and Geodiversity.
- 10.90 A Biodiversity Net Gain Assessment has been submitted with the application. KC Ecology have reviewed the document and have agreed with its findings that habitat loss resulting from the development has been minimised and practical plans for habitat enhancement and creation are proposed.
- 10.91 The overall score for the development is a net gain of 0.75 habitat units (15.46%) and 1.91 hedgerow units (1,273.33%). The proposed level of net gain, in excess of the 10% minimum is welcomed. In order to ensure the scheme's ecological benefits are delivered, a condition for implementation of a Biodiversity Enhancement and Management Plan (BEMP) alongside a Construction Environmental Management Plan for Biodiversity (CEMP:Biodiversity) will be required to be submitted to and approved by the Local Planning Authority. These conditions are cited in section 12 of this report.

- 10.92 Overall the exceedance of the no net loss to biodiversity value required by Policy LP30 through the provision of a biodiversity net gain in excess of 10% is a significant benefit of the scheme. Consequently, the ecological benefits of the development contribute favourably in respect of the scheme's public benefits and the weight associated for the planning balance.

Residential Amenity and Environmental Health Matters

Overbearance, Overshadowing & Privacy Loss

- 10.93 Policy LP24 – Design of the Local Plan requires development proposals to consist of good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape, whilst providing a high standard of amenity for future and neighbouring occupiers.
- 10.94 In Area B, the main impact of the development results from the re-sited boundary wall upon the Church of Latter Day Saints and 402 Birkby Road. The Church is not a residential property, however the re-siting of the wall is anticipated to have little impact on the Church's operation given the ample lawned area that will be retained between the southern corner of the Church building and the red-line boundary of the development proposal. By contrast, 402 Birkby Road is a residential property with sizeable grounds. Again, however the impact in respect of amenity is likely to be limited to a slight increase in overbearance and overshadowing resulting from the new boundary treatment and planting in closer proximity to the southern elevation of the dwellinghouse. That being said, the loss of amenity is anticipated to be within reasonable parameters and offset by the evident like-for-like replacement of the boundary treatment and planting proposed by the applicant.
- 10.95 In Area C, it is expected that the introduction of the car park across the northern boundary of 103 Halifax Road will not introduce any overshadowing, overbearance or privacy issues.
- 10.96 In Area D, the proposed soft landscaping within the plot of 123 Yew Tree Road may eventually lead to some overshadowing of 121 Yew Tree Road's rear curtilage in the morning hours on account of the proposed plantings' position across the eastern shared boundary. Nevertheless, 123 Yew Tree Road's plot currently includes significant mature trees and the proposed the situation is likely to broadly reflect the existing condition in respect of amenity. In any case, the impact of the planting, given its eastward location, is unlikely to significantly or adversely alter the enjoyment of 121 Yew Tree Roads private amenity space given that the midday, afternoon and evening hours will remain unencumbered by any form of light loss above the existing situation.
- 10.97 A number of representors have cited the issues resulting from increased on-street parking restrictions. On-street parking where no restrictions are in place is perfectly legal. However there is no right to park vehicles on a public highway. Consequently, these matters are not determined to be a material planning consideration as they do not represent limitations in respect of overshadowing, overbearance or privacy which form the definition of residential amenity in planning law terms.

- 10.98 Front gate alterations are proposed to 214, 216, 218, 220 and 220a as a result of footway level changes. These works will offset the impact of the pedestrian access alterations that the level changes would otherwise incur.
- 10.99 A number of local residents have submitted representations citing objections to the on-street parking control alterations proposed across the Yew Tree Road and Birchenclyffe Hill Road junctions with Halifax Road. These matters are not determined to be a material planning consideration as they do not represent limitations in respect of overshadowing, overbearance or privacy loss. In any case, the signing and lining measures proposed to restrict on-street parking at the cited locations are subject to a separate legal framework and consultation under Traffic Regulation Order required under the Road Traffic Regulation Act 1984.
- 10.100 When viewed in the round, the residential amenity impacts of the development from an overshadowing, overbearance and privacy loss perspective are exceedingly limited.

Air Quality

- 10.101 Discussions in relation to Air Quality are on-going between the applicant and Environmental Health on the basis of whether a pre-commencement condition for an updated Air Quality Impact Assessment will be required or not. More information will be provided to the Committee via the Committee Update.

Noise

- 10.102 Policy LP52 states that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.
- 10.103 The applicant has submitted an updated Environmental Noise Assessment authored by Waterman dated April 2023. The assessment is based upon previous noise monitoring and in conclusion, it indicates that the improvements will cause an increase in road traffic noise at some properties but with no increase at others. The predicted increases are considered to be not significant at locations where potentially significant increases in road traffic noise may occur. In particular, in Area D, 121 Yew Tree Road is predicted to have an increase of greater than 1dB in both the short-term (+1.8dB) and long-term (+2.1dB). The most exposed façade is the eastern façade due to the carriageway being slightly closer to the property within the amended scheme. Under the Do Something scenario, predicted noise levels on this façade are just above the SOAEL (Significant Observed Adverse Effect Level). At all other properties, although increases in road traffic noise are predicted to occur, they are below the SOAEL and less than 1dB on the most exposed facades.

- 10.104 The findings of the noise report are accepted by KC Environmental Health. In the summary of the consultee's previous comments, dated October 2021, reference was made to some properties being eligible for measures under the Noise Insulation Regulations 1975 (as amended 1988). With the removal of works to Area A, this leaves a single property in Area D - 121 Yew Tree Road and this eligibility remains unchanged. For clarity it is for the Highways Authority to consider any discretionary mitigation measures and an informative would be attached to the decision notice. Based on the above, the development acceptable in respect of the requirements of Policy LP52.

Construction Management

- 10.105 A Construction Noise & Vibration assessment authored by Waterman has been submitted, dated February 2023 Ref WIE14496-105-R-21.2.2 which considers the removal of Area A from the previously submitted assessment. The assessment methodology and mitigation measures remain unchanged. In KC Environmental Health's earlier response dated the 22nd of October 2021, the consultee accepted the proposed mitigation to reduce the impact of noise on nearby sensitive receptors and recommended vibration monitoring at a location representative of a sensitive residential receptor during vibration generating activities to ensure the target criteria are not exceeded (any monitoring data must be made available to Local Authority Officers on request). Consequently, Development Management have taken on board the consultee's advice and therefore recommend a condition to secure the mitigation offered within the Construction Noise & Vibration assessment.

Contaminated Land

- 10.106 Policy LP53 – Contaminated and unstable land states that development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate contamination assessment and/or land instability risk assessment. For developments identified as being at risk of instability, or where there is evidence of contamination, measures should be incorporated to remediate the land and/or incorporate other measures to ensure that the contamination/instability does not have the potential to cause harm to people or the environment.
- 10.107 Following review of the submitted documentation concerning the potential for contaminated land in Areas B, C and D, the KC Contaminated Land Officer has confirmed that a Phase 2 Intrusive Site Investigation Report, Remediation Strategy, Implementation of Remediation Strategy and Submission of Validation report conditions will be required for all three areas. On this basis, the development is able to be meet the requirements of Policy LP53.

Conclusion

- 10.108 On the basis of the assessment outlined above, there are no reasons by which the development should be refused on the grounds of residential amenity or environmental health matters.

Drainage Matters

- 10.109 The supporting text to Policy LP28 - Drainage states that when proposing new developments, surface water issues need to be addressed in terms of existing surface water and potential increases to run-off resulting from the development. Effective management of surface water can help to prevent increased flood risk and negative impacts on water quality with associated biodiversity benefits.
- 10.110 The Lead Local Flood Authority (LLFA) note that there is no significant change in drained surface area throughout the four areas of the proposed road widening scheme, therefore there is no requirement to attenuate surface water flows. Where increases in road width are proposed, the scheme provides mitigation measures to reduce the impact on flood risk. The LLFA note that they have agreed restricted outfall flow rates across Areas B, C and D which, through the Highway Authorities drainage design, will prevent an increase in flood risk on and off site as required by Policy LP27 – Flood Risk.
- 10.111 Overall, the proposed development is acceptable in respect of its drainage design as it will not increase flood risk on-site or elsewhere.

Representations

- 10.112 Development Management responses to the summary of representations is provided below to the second and third rounds of publicity only. This is on account of the first round of responses being centred on Area A, which is no longer a part of the scheme:

OBJECTIONS – Second Round of Publicity Summary of Responses

Transport Matters

- Objection to yellow lining at various locations of the route due to the removal of right of local residents to park their vehicles on the highway. Locations include Birchencliffe Hill Road & Yew Tree Road ;
- Citation of the difficulty of turning onto Halifax Road from Yew Tree Road due to the frequency of vehicle movements;
- The volume of recent residential development on Yew Tree Road and Burn Road has made traffic congestion worse in the local area;

***Officer Response:* The A629 is a scheme developed partly with the purpose of offsetting the development impacts resulting from the allocation of the Kirklees Local Plan. Interventions are identified in locations commensurate with increased demand on the highway network resulting from those development allocations.**

The matter of lining Yew Tree Road, though included within this application, is subject to a separate Traffic Regulation Order process conducted under the Road Traffic Regulation Act 1984 and therefore lies outside the remit of the Town and Country Planning Act 1990. Indeed such works would also benefit from permitted development rights under Part 9 Class A (A) as development undertaken by highways authorities.

It should be noted that residents of 214 to 228 Halifax Road have an access at the rear of their properties where a large proportion park their vehicles.

- The cited journey improvement times shall be nullified by buses stopping;

Officer Response: **As set out in the assessment above, the scheme identified that buses stopping is an issue in causing delays along the A629. Consequently the scheme is designed to try and minimise disruption by stopping buses by speeding up the flow of traffic and re-organising traffic lanes to appropriate widths.**

- The scheme does not amount to a significant reduction in journey times, a representor highlights that the removal of Area A from the proposed development nullifies the scheme's journey time reductions and thereby the scheme's benefits do not outweigh the negative impact of the development;

Development Management Response: **As set out in paragraphs 10.47 to 10.57, the development does significantly improve future journey times when compared to existing journey times in the context of increased demand on the network resulting from development resulting from the Kirklees Local Plan.**

- More speed cameras should be provided for safety purposes on Halifax Road;

Development Management Response: **Requiring the inclusion of speed cameras for highway safety purposes is not within the remit of the Local Planning Authority. The placement of speed cameras is made through consultation between the Local Highway Authority and West Yorkshire Police in identified high risk areas. It is assumed that if there is an overriding need to control speed over above usual restrictions (i.e. speed limits), speed cameras would have been included within the proposal.**

- The scheme should be replaced with improved public transport provision;

Officer Response: **The scheme is intended to improve public transport journey times across the Halifax to Huddersfield corridor alongside that of .**

- The development will create induced traffic demand;

Development Management Response: **The suppressed traffic thesis which results in induced demand is a complex theoretical argument. Irrespectively, any induced demand resulting from increased capacity is identified in the literature to take up approximately 20% of newly created highway capacity on average (Section 5.3 – Latest Evidence on Induced Travel Demand: An Evidence Review, WSP for DfT, May 2018 – <https://assets.publishing.service.gov.uk/media/5c0e5848e5274a0bf3cbe124/latest-evidence-on-induced-travel-demand-an-evidence-review.pdf>).**

20% represents a modest amount of capacity given over to induced demand with the majority of new capacity created to serve demand resulting from population growth, an ageing population and, most importantly, economic growth resulting from the Local Plan.

- Lack of inclusion of dedicated cycle-way capacity in line with the requirements of LTN1/20 in the design of Phase 5 of the A629 is contrary to national policy;
- Concern in respect of the delay to implementing Phase 4 of the A629 improvements scheme which concern Active Travel;
- Phase 4 active travel scheme should come forward before Phase 5 on account of the number of short journeys undertaken across the A629 and the high-density residential area it transits;
- Pedestrian islands along the route are unsafe;
- There is capacity for cycle lanes along most of the A629 should hatching and pedestrian islands be removed;
- The speed limit should be reduced from 40mph to 30mph to help traffic flow and make the road safer for active travel users;
- The scheme should include an upgraded crossing at Yew Tree Road to accommodate pedestrian and cycle users in order to account for the increased residential developments on both sides of Halifax Road in Birchencliffe & Lindley;

Development Management Response: The scheme is identified as the most optimal set of intervention on the A629 by the Local Highway Authority and West Yorkshire Combined Authority for the purpose of realising the requirements of KLP site allocation policy TS4 for the Huddersfield to Halifax Corridor. The purpose of TS4 is to 'accommodate growth from Local Plan allocations north of Huddersfield and support more efficient commuting between Halifax and Huddersfield, as well as better access to the two centres from the M62. This would support employment growth. Businesses in Calderdale and Kirklees would become better connected to labour markets across West Yorkshire.'

As cited by representors, Phase 4 of the A629 improvement scheme is planned to accompany the Phase 5 interventions. Though Development Management appreciate that many representors would prefer to see more active travel interventions along the A629 itself, the Phase 4 improvements seek to provide two dedicated cycle routes either side of the A629 as set out in Figures 20 and 21 on pages 45 and 46 of the supporting Transport Statement.

The routes will feature Greenway, segregated highway and cycle lane interventions that serve a significant volume of residential districts across the north west of Huddersfield as well as interventions upon the Ring Road itself. Admittedly Phase 4 is subject to WYCA's 2022 Inflation Review and is subsequently paused, however this does not mean that the scheme will not be coming forward in due course once the Inflation Review has concluded.

Arboricultural & Ecological Matters

- Objections to the removal of the woodland within Area C on the basis of its noise reduction qualities and ecological habitat for multiple species;
- Insufficient assessment of the potential threat to bats;

Development Management Response: The material benefits of delivering the car park, including the provision of EVCPs and replacement street trees, outweigh the loss of the woodland in this location. Indeed the woodland is of poor quality on account of its location upon a former Brickworks that was present in the location of the proposed car park until a few decades ago.

KC Environmental Health and KC Ecology have confirmed no objections to the proposed development subject to conditions, as outlined in section 12 of this report. None of the trees to be removed are within a conservation area or subject to a Tree Preservation Order.

- An objection to the loss of mature trees at the Cavalry Arms junction on account of the impact to the loss of amenity, habitat for wildlife as well as the resultant impact on air quality and increase in carbon emissions;
- Representors highlight that the proposal is contrary to Policy LP33 Trees of the Local Plan as trees of significant amenity should be retained;
- Multiple general objections to the felling of trees to facilitate the development, some representations highlight the contrary nature of removing trees and Kirklees having declared a climate emergency;
- Perceived reduction in the Ainley Top mitigative planting scheme relative to the initial submission;
- Concern in respect of the time necessary for new planting to fully replace the removed trees;

Development Management Response: **These matters have broadly been addressed in paragraphs 10.69 to 10.79 of the report.**

Separately, declaration of a climate emergency does not sit within the definition of Chapter 14 of the National Planning Policy Framework and is not something that can be lent weight in material planning terms. However it should be noted that the scheme provides a net uplift of 599 trees through the creation of a Woodland at Ainley Top Roundabout as well as replacement street tree planting at the Birkby Road / Halifax Road junction and beside the Prince Royd Car Park. The replacement landscaping scheme as a whole provides a 15.46% biodiversity net gain above the existing situation (baseline) which goes beyond the impending statutory minimum of 10% required by the Environment Act. This point in of itself is of significant merit for the scheme as a whole.

Heritage/Design Matters

- The scheme will impact 'old buildings' and the loss of trees will harm the character of the Birkby and Edgerton Conservation Area across Halifax Road;

Development Management Response: **These matters have been addressed in paragraphs 10.58 to 10.68 of the report.**

Environmental Health Matters

- NOx levels will increase as a result of this development;
- Noise pollution will increase as a result of this development;

Development Management Response: **No issues in relation to noise have been raised by Environmental Health and the submitted NIA has been accepted. Matters relating to Air Quality will be provided in the Committee Update.**

General Objections

- Huddersfield Civic Society have requested an extension to the publicity period from the 4th August 2023 to allow for further consideration of the application (note the 4th August was the expiry date for the Site Notice and the 18th August was the expiry for the Press Advert);

Development Management Response: The publicity period was extended as requested.

- Negative impact on house values;

Development Management Response: This is not a material planning consideration.

- Citation of various issues concerning the removed Blacker Road Junction improvements (Area A)

Development Management Response: These matters are no longer relevant to the planning application.

- Views expressed that the development contravenes the Council's climate emergency declaration;

Development Management Response: This matter has been responded to above.

GENERAL/SUPPORT

- A resident of Halifax Road set out the highway safety implications of having parked cars on-street opposite the Tesco Express on Halifax Road. They requested that improvements for the purpose of protection from vehicles would be preferred but were imprecise as to what these could be;
- Support for the Area C car park as it is considered the most effective of all the interventions at improving traffic flow through the removal of on-street parking;

OBJECTION – Third Round of Publicity Summary of Responses

- Junction alterations are unnecessary as they destroy the trees and character of Halifax Road and Edgerton Conservation Area whilst failing to meet Policies LP2, LP24 and LP35 of the Kirklees Local Plan;

Development Management Response: This matter has been responded to above.

Other Matters

10.113 There are no other matters.

11.0 CONCLUSION

- 11.1 This application for Phase 5 of the A629 Improvement Scheme is a strategic priority of Kirklees Council and West Yorkshire Combined Authority. The proposal has come forward not only to provide better journey times between Huddersfield Town Centre and its immediate residential districts, but to improve journey times to the M62, Halifax and the rest of West Yorkshire. Arguments which purport that the scheme only generates insignificant journey time savings fail to acknowledge the journey time savings in the context of the 30,000 trips daily traversing the A629 alongside the cumulative journey time improvements generated across all of the phases within the A629 improvement programme. What this means is that journeys to and from Huddersfield and Halifax, as well as further afield, will witness significant improvement despite increasing demand on the network from planned economic growth. Without these interventions journey times will undoubtedly increase as a result of economic growth and will consequently act as a drag both economically and on the time of individual citizens.
- 11.2 The negative aspects of the scheme, including mature tree removal, heritage impacts and some minor design issues are determined to be outweighed by the scheme's benefits in respect of highway capacity improvement, safety and the promotion of sustainable forms of transport alongside secondary benefits in respect of biodiversity net gains. Significant weight is afforded to the latter and minor impacts are considered to be adequately mitigated through appropriately worded conditions.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. TCPA Section 91 – Development to commence within 3 years;
2. Development in accordance with plans and specifications schedule;
3. Car Park Management Plan (Area C);
4. Construction Traffic Management Plan (Pre-commencement by Area);
5. Area C Street Tree Provision Details;
6. Revised Tree Planting of Specified Native Species for Area B;
7. Revised Boundary Treatment Details for Areas B & C;
8. Archaeology Written Scheme of Investigation Areas C & D (Pre-commencement by Area);
9. Revised Arboricultural Impact Assessment for Area C drainage (Pre-commencement in Area C);

10. Arboricultural Method Statement for Areas B, C & D (Pre-commencement by Area);
11. Area D Retaining Wall and Rear of Footway Wall Finishing Material (Natural Stone);
12. Biodiversity Enhancement Management Plan for on-site BNG (Pre-commencement);
13. Construction Environmental Management Plan for Biodiversity (Pre-commencement);
14. Construction Noise & Vibration Controls & Monitoring;
15. Phase II Intrusive Site Investigations (Pre-commencement);
16. Remediation Strategy (Pre-commencement);
17. Implementation of Remediation Strategy;
18. Contaminated Land Verification Report;
19. Electric Vehicle Charging Points for Area C Car Park;
20. Improved landscaping arrangement for the Birkby Road / Halifax Road Junction corner adjacent 52 Inglewood Avenue;

All pre-commencement conditions have been agreed with the applicant.

Background Papers:

Application and history files available via URL:

[Planning application details | Kirklees Council](https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f92734)

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