
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 03-Jun-2020

Subject: Planning Application 2019/94152 Amended Description - Reserved matters application pursuant to application no 2018/90802 for development of 16,723 sq metres employment floor space together with associated internal roads, parking and landscaping in relation to the reserved matters of layout, scale, appearance and landscaping. Together with the discharge of conditions 3, 6, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 32, 33 and 34 in so far as they relate to Phase 2 Land at, Slipper Lane, Mirfield, WF14 0DE

APPLICANT

Caddick Developments
Ltd

DATE VALID

16-Jan-2020

TARGET DATE

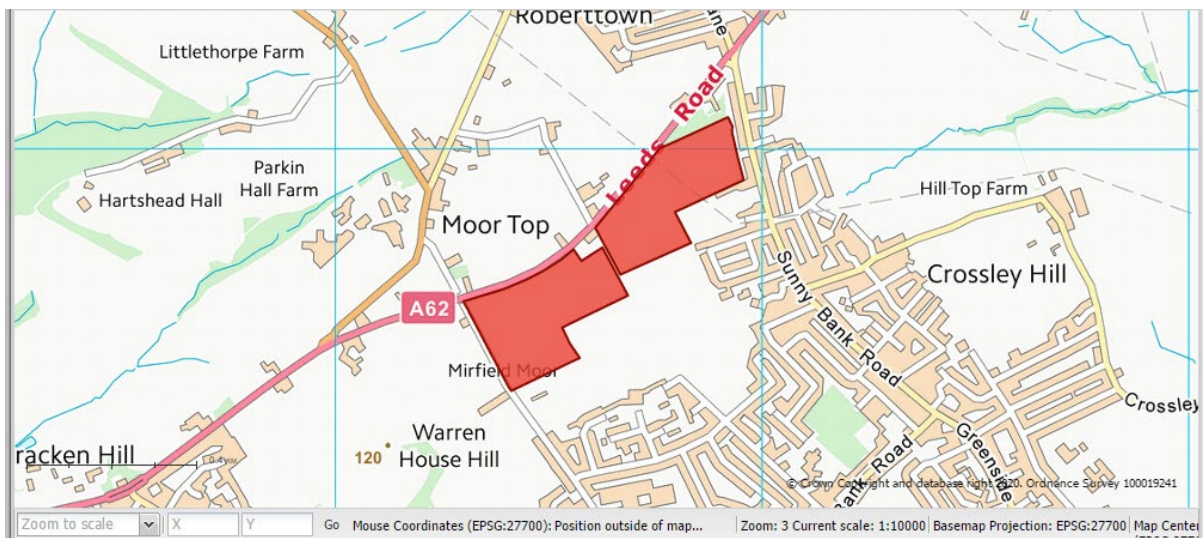
16-Apr-2020

EXTENSION EXPIRY DATE

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

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Mirfield

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION:

Delegate approval of this reserved matters 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 within the report and issue the decision notice.

1.0 INTRODUCTION:

Background

- 1.1. This application has been brought to this Committee at the request of the Ward Councillors, and in accordance the Delegation Agreement.
- 1.2. Ward Members comments are included within the report.

2.0 SITE AND SURROUNDINGS:

- 2.1. This application relates to the Mirfield 25 site which is also referred to as Moor Park and is a mixed-use allocation in the Local Plan. The whole allocation comprises 12.38 ha of land on the northern fringe of Mirfield. The site has a frontage onto Leeds Road (A62) and is bisected by Taylor Hall Lane. The site is bounded to the north by properties on Sunny bank Road to the east by open fields and school playing fields to the south, and Slipper Lane to the west.
- 2.2. The planning approval on this site is for both residential and industrial use and development has commenced on both. The industrial site is located between Taylor Hall Lane and Slipper lane with a frontage onto Leeds Road. Vehicular access to this industrial site is already in place and one industrial unit has been constructed and is occupied.
- 2.3. The existing vehicular access and existing unit were Phase 1 of the development of the industrial part of the wider development at Moor Park. This application relates to Phase 2 which is the larger part of the industrial element of the site and extends to the remainder of the previous industrial permission.

3.0 PROPOSAL:

- 3.1 This is a Reserved Matters application for Phase 2 of the industrial development. Access is already approved and implemented, as such the Reserved Matters extends to; layout, scale and appearance; and landscaping.

3.2 Using the already approved and implemented access the proposal includes 5 new industrial units which are within the Planning Use Classes B1-Business Use; B2-General Industry; and B8-Storage and Distribution accepted uses on this site.

3.3. These units will be of various size i.e.

- Unit 2- 23,000 sq ft (2,250 sq m)
- Unit 3- 19,500 sq ft (1,750 sq m)
- Unit 4- 46,400 sq.ft (4,500 sq m)
- Unit 5- 59,000 sq.ft (5,482 sq m) ; and
- Unit 6- 32,000 qs.ft (2,250 sq m)

3.4 In addition to the Reserved Matters the applicants have applied to discharge a number of conditions of outline consent 2018/90802 in as far as they relate to Phase 2 of Industrial development:

3.5 These conditions and the issues they cover are:

- **Condition 3.** Phasing of the Industrial element
- **Condition 6 .** Boundary treatments
- **Condition 13.** External Lighting plan
- **Condition 14** Constructional Environmental Management Plan
- **Condition15.** Air Quality Mitigation and monitoring
- **Condition16.** Provision of electric vehicle charging points
- **Condition19.** Surface water to be passed through oil interceptors prior to discharging to the outfall or watercourse;
- **Condition 20.** All downpipes carrying rainwater to be sealed at ground level;
- **Condition 21.**Provision of manhole covers to enable inspection and sampling
- **Condition 22.** Details of foul and surface water drainage
- **Condition 23.** No piped discharge of surface water from the site until the approved surface water drainage scheme has been completed.
- **Condition 24.** No buildings to be occupied prior to the completion of the approved foul drainage scheme
- **Condition 25.** Surface water from hardstanding areas in the industrial development shall be passed through an appropriate interceptor. Rainwater shall not pass through the interceptor
- Landscape Management Plan.
- **Condition 28** Provision of site construction plan
- **Condition 29.** Provision of on-site parking for workers during the construction period.
- **Condition 32.** Details of surface water flows from parking and hard standing areas in the Industrial development
- **Condition 33.** Details of drainage strategy, outfalls, capacity (flow rates to accord with those agreed in the originally approve Flood Risk Strategy).
- **Condition 34.** Temporary surface water drainage strategy for the duration of the construction.

3.6 **NOTE:** All of the pre-conditions on the original approval for both the residential and industrial elements of the scheme have been agreed and implemented. A number of the conditions above have been agreed for the whole site, and confirmation is required that they apply to phase 2. Others have been submitted and approved for the already approved Phase 1 Industrial scheme, and require confirmation from the council that the details for the Phase 2 scheme are acceptable.

3.7 There is no request to vary or amend any of the original conditions.

4.0 **RELEVANT PLANNING HISTORY (including enforcement history):**

2007/90423 – Outline application for B1 (Offices) and B2 (General Industry) and hotel. Withdrawn.

2008/90695 – Outline application for B1 (a, b, c) and B2 use within a Continuing Care Retirement Community and Ancillary A1 use together with means of access, landscaping and change of site levels. Approved.

2011/92428 - Erection of two B2 (general industrial) /B8 (storage & distribution) use buildings (14,100 sq.m in total) with ancillary B1 offices, formation of access, car parking, drainage proposals, landscaping and the erection of a 6m high acoustic fence, gate house, substation, site compound and temporary stockpiling of fill materials and top soil on land to the east of the proposed buildings. Approved

2012/93087 - Extension to time limit to previous permission 2008/90695 for outline application for B1 (A,B,) and B2 use within a continuing care retirement community and ancillary A1 use together with means of access, landscaping and change of site levels. Approved

2014/90688 - Outline application for the erection of commercial floor space (B1c, B2 B8) including details of engineering operations to form serviced employment plots and full application for 166 dwellings. Approved subject to a Section 106 Agreement.

2018/90801 - Reserved Matters application on industrial only scheme applying for access only. Approved

2018/90802 - Variation of/ removal of conditions 31, and 23 and 30 of 2014/90688. Approved

2018/93622 - Reserved Matters application for the erection of industrial unit (72,400 sq feet)-Approved. *This is now complete and occupied.*

The following Discharge of Conditions applications have been submitted and approved

- 2019/93367
- 2019/93202
- 2019/91971 and
- 2019/91942

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

- 5.1 Some additional information requested from the applicants regarding road levels, gradients and turning heads. This was forthcoming.
- 5.2 Additional information and sections across the site were requested to indicate the extent of the landscaped buffer zone, and its relationship to neighbouring dwellings on Slipper Lane, and how the phase 2 development will look when viewed from the opposite side of Leeds Road. This was forthcoming.
- 5.3 Request for details of vehicles and occupancy of various units to inform the discharge of the Air Quality condition. This was forthcoming.
- 5.4 Additional information and clarification sought on the alternative surface water outfall for Phase 2. This was forthcoming.

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. The site is allocated as a mixed use development (MX19290) on the Local Plan.
 - LP3 - Location of new development
 - LP4 - Providing infrastructure
 - LP8 - Safeguarding employment land and premises
 - LP9 - Supporting skilled and flexible communities and workforce.
 - LP20 - Sustainable travel
 - LP21 - Highway safety and access
 - LP24 - Design
 - LP28 - Drainage
 - LP52 - Protection and improvement of environmental quality
 - LP53 - Contaminated and unstable land

Supplementary Guidance

- Highways Design Guide

National Planning Policy Guidance

- Chapter 2 - Achieving a sustainable economy
- Chapter 4 - Decision making
- Chapter 6 - Building a strong competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment

Other guidance:

SPD1 – Negotiating financial contributions for transport improvements
SPD 2 Affordable Housing
'Providing for Education Needs Generated by New Housing' (KMC Policy Guidance)
West Yorkshire Low Emissions Strategy

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The scheme has been publicised in the press by notices and neighbour letters.
- 7.2 The final date for response was 21/2/20. Since then there have been no representations from the public received.
- 7.3 Mirfield Town Council- Cllr Lees-Hamilton proposed the application should be determined at the Planning Committee. This was agreed unanimously by the of the Members of the Town Council
- 7.4 Cllr Martyn Bolt (Cllr Lees-Hamilton agrees with these comments)

"In part, the potential lack of contact from residents is due to the lack of information Kirklees prepares. The committee report for example said it was to discharge a number of conditions, but within the body of the report no clear reference was made to the conditions and any impact? There was no report as to previous and numerous times the developers have breached both planning and highways conditions and laws, with, in the eyes of the public, impunity. I have seen comments from local residents about the same. There has been representation from the Town Council, who comprise of 16 members elected to represent the area, that should carry the same weight as if Kirklees submitted concerns to an authority. In terms of delegation, I have previously raised and my concerns have been echoed and supported by the public, that significant decisions should be made in public. Whilst staff are delegated, rightly to make minor ones, it should be the role of elected members to make major decisions.

Take for example the delegated decision to approve planning for a care home in Mirfield, where approval was given to use a bridge over a railway line to evacuate. That bridge was not in the ownership, control or other of the applicant and it seems that no checks were made by Kirklees staff (a trait I have seen on a number of applications). We now have an approved care home facility with no primary evacuation route during floods. Take cases where the red line boundary has been found to be incorrect/false and staff were prepared to take the case forward through mention in an update report, to which the vast majority of the public had no knowledge or access. One can see why there is less trust in the system than some years ago. This is the largest single development in Mirfield, and maybe also North Kirklees it has as staff will confirm if they look at history generated a number of concerns, only diminished over the years by what residents have reported to means lack of trust and confidence in Kirklees planning. For staff who may not be aware of the history, the planning committee were called to a private meeting, and told by a senior member of staff at Kirklees that this land, which it must be remembered was designated in the UDP as wholly industrial land

was being considered by Foxes biscuits, who at the time were rumoured to be leaving Kirklees. Although the site was going in outline, and Foxes were not the applicant nor had they signed any contract the committee (which had several members representing the Batley area) were told it was being seen "as a litmus test" by Foxes. It got outline and Foxes never appeared on site. The public who spoke to me were outraged. The outline application was allowed to deviate for the UDP by inclusion of a retirement village, as we were told Kirklees were minded to refuse a wholly industrial application on highways grounds and it may have cost more money for the applicant to resolve. So much for the local plans protecting the land usages! The site was allowed with highways measures which Kirklees own staff had previously said in writing were dangerous, how did that look to the public?

Then what happens the enabling retirement community, which would allegedly have been low car use, was amended to housing, although Kirklees bowed to the developer and there is no community pay areas on site. The industrial allocation (which later had the name of David Brown associated and with whom Kirklees were said in the media to be in financial discussion about their Huddersfield land) which we were told would create long term, skilled jobs with benefits to the local supply chain and businesses was changed to warehousing, for which none of the reasons would seem to apply.

I think that had staff recommending approval? Again to the dismay of residents who felt that all previous promises were worthless. Take the situation where a former landfill site remains un-remediated many years later, and we now are told there are contaminants on site. As far as I am aware no action is taken to bring the culprits who allowed that to book? Comment has been previously made that elected members should defend or support planning and I would direct staff to the role profile of a ward member, which is clear that the first role of a councillor is to represent the ward (and residents) for whom they are elected, also to scrutinise decision making. When we are told by those in charge, falsely, that the planning process is quasi-judicial, or that member of a planning committee are not allowed to comment on previous decision if they are on Cabinet, that role becomes more important as such statements are incorrect and misleading

<https://www.kirklees.gov.uk/beta/your-councillors/pdf/councillor-role.pdf>

If staff and the Chair wish to take this decision in private then they do so without my agreement".

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways DM - No objection in principle. Additional information and clarification regarding gradients and turning heads has been provided and is acceptable.

KC Local Lead Flood Authority - An alternative surface water connection out of Phase 2 of the Industrial site has been identified, also in Taylor Hall Lane. This is acceptable, and the originally agreed run off rate of 11l/s should be adhered to.

8.2 Non-statutory:

KC Environmental Heath - Additional information regarding the air quality mitigation measures has been received, this confirms the level of contributions already provided in preparing the site, and the opening of the Phase 1 development (i.e. Wescoe, now in operation). The balance of the contribution will be shared amongst the other units on the site, in accordance with the already agreed Air Quality Management Plan. In addition it is noted that there is an additional condition that requires an additional survey/check, 6 months after the final units on the site is completed, in order to ensure the mitigation measures have been carried out and their effectiveness.

KC Landscape - No objections, ensure the landscaping is managed / maintained in accordance with the Landscape and Ecological Management Plan.

9.0 MAIN ISSUES

- Principle of development
- Reserved Matters: Layout; scale and appearance; and landscaping
- Conditions

10.0 APPRAISAL

Principle of development

10.1 The principle of the erection of 5 industrial units on Phase 2 of the Industrial allocation is already established through the previous planning approvals and the Mixed- Use allocation. The preparation of the industrial part of the site to enable new employment units to be built, has been secured through the original Section 106, and Phase 1 of the site (the Wescoe) unit has been delivered and is currently occupied.

10.2 The erection of these 5 additional units as Phase 2 is consistent with the Councils policy to deliver new employment and is referred to in Policies LP3 and LP8 of the Kirklees Local Plan and the guidance contained in part 6 of the National Planning Policy Framework " Building a strong and competitive economy"

The Reserved Matters

Layout and Siting

10.3 The existing Unit 1 on the site (occupied by Wescoe), and associated car park/ service area is located in the NE corner of the site adjacent to the main entrance. This will be substantially the largest building on the site.

10.4 The additional 5 units that make up phase 2 are located on the western portion of the site, which extends to the boundary with Slipper Lane. Unlike the Wescoe building which, together with its parking area faces towards the main entrance and Leeds road, these 5 units will be set back from the road, and face inwards, towards their individual parking service areas which are in turn accessed off a central estate road.

- 10.5 The entire site is surrounded by a landscape buffer extending the length of Leeds Road, Slipper Lane, Taylor Hall Lane and the school playing fields to the rear. The buffer zone is between 10 and 20 meters in width and is to be landscaped to provide a softer edge to the development. On the western side of the site towards Slipper Lane, the site levels of the agreed plateau, are higher than Slipper Lane and that of Leeds Road in proximity to Slipper Lane.
- 10.6 The most affected neighbours are located on Slipper Lane, where a pair of dwellings face the western boundary. Given the difference in levels at this point, within the landscape buffer zone, from the boundaries with Slipper Lane and Leeds Road, there will be slopes, rising to the agreed plateau level, which will contain the landscaping. On Slipper Lane, this slope will be behind an existing hedgerow. Taking this into account, the most affected neighbours, the pair of dwellings on Slipper Lane, which face the western boundary of the site, their main outlook will be onto the landscaped slope behind the existing retained hedgerow.
- 10.7 With the new units backing onto Leeds Road and Slipper Lane, all the main access and delivery points together with parking, loading and servicing activity, for the new units is from within the site, rather than on the periphery with the proposed buildings effectively acting as a buffer. This reduces any potential noise /disturbance from the working activity for the nearest neighbours.
- 10.8 The internal road layout is considered satisfactory and is a logical progression, from what has already been agreed on phase 1. The parking layout and numbers of spaces, together with the servicing and delivery areas, are satisfactory and their future maintenance free of obstruction (i.e. no outside storage etc) and can be conditioned. Each of the units provides cycle parking provision, and changing facilities.

Scale and appearance

- 10.9 The buildings proposed are functional modern industrial unit constructed largely of cladding with a number of glazed areas upon a shallow plinth. Each of the 5 new units has a slightly different appearance, but appropriate appearance for an industrial estate. The ground levels on the site have already been agreed, as has the extent of the landscaped buffer zone. The heights of the buildings vary given the floor area but are between 5-6 m to eaves level and 7-8m to the ridge, with the roofs being very shallow. Given the units are set behind a landscaped buffer and inward facing the scale of the buildings is not inappropriate for an industrial estate.
- 10.10 The phase 1 building is a very substantial building with a large footprint and a ridge height of approximately 15.0 metres. This is already constructed and being next to the site entrance the most visible of the units, it is also the largest. The surrounding boundary trees are to be retained, and the trees and hedgerow on the boundary with Slipper Lane will together with an additional landscaped buffer, afford a softer edge to the site, which will afford some visual amenity and mitigation against the industrial appearance of the buildings. However, it is not feasible to totally screen the whole estate from view of Leeds Road or any of the surrounding roads. Given the sites employment allocation, the retention of boundary planting and additional planting for this phase which softens the impact, the scale and appearance of the phase 2 units is considered acceptable.

Landscape

- 10.11 As stated earlier, the perimeter trees around the site are to be retained, and as part of the Outline approval, a condition has been imposed and discharged which ensures the protection of these trees during construction.
- 10.12 In addition to this a Landscape scheme has been submitted which provides for additional tree and shrub planting around the perimeters including the Leeds Road frontage and either side of the main access points and surrounding the car park areas. The existing hedgerow is retained along the southern boundary next to the football pitch and also along the western boundary with Slipper Lane. Within the site, areas of the landscape buffer zone will take the form of landscape battens, sloping up from the boundary towards the new buildings and their curtilages. The use of these battened areas improves the effectiveness of the landscape buffer zone in providing an element of screening and also in terms of visual amenity. The range of species and types of trees are appropriate for the location and are also considered to afford biodiversity opportunities. The landscape proposals are considered acceptable and complement the already agreed landscape scheme around phase 1.

Conditions

- 10.13 The applicants have indicated, that as part of this submission, they would like to discharge a number of the conditions imposed on the previous approval, in as much as they relate to Phase 2 of the industrial site. For clarity, all of the pre-commencement conditions for phase 1 of the industrial part of the site have been discharged

Condition 3. Phasing.

- 10.14 The industrial site was to be developed in 2 phases, the first phase for unit 1 and the access has been implemented and developing the balance of the site in one further phase is acceptable.

Condition 6. Boundary treatments

- 10.15 These matters have been dealt with as part of the reserved matters submission. However, there is already an approved Landscape Management Plan that applies to the entire site including new landscaped areas, internal and also on the boundary of phase 2. The protection of existing trees and boundary hedgerows during construction is secured by an existing condition on the outline consent. The internal boundary treatments between different units and their curtilages are 2.4m high metal fencing and gates, however these are set behind the Landscape buffer areas on the perimeter of the site.
- 10.16 The boundary details for phase 2 are consistent with those already agreed for phase 1 and are considered acceptable

Condition 13. External Lighting plan

- 10.17 The lighting scheme for phase 1 was agreed under Discharge of Condition 2019/93202 and has been implemented. The phase 2 scheme has been adapted to the final layout and is acceptable in terms of the level of

illumination, security and safety it provides within the site, whilst not shining directly into the windows of any neighbouring dwellings on Slipper Lane or the properties opposite the site on Leeds Road.

Condition 14. Constructional Environmental Management Plan

10.18 The original approval for the site 2014/90688 was subject to such a plan, for both the residential and industry, and those details were approved as part of that application. These measures, together with the details agreed under conditions 28 and 29 effectively form the Construction Environmental Management Plan for both the housing and residential schemes. This has been implemented and remains in place and is enforceable until the completion of phase 2, and also the remainder of the housing scheme.

Condition 15. Air Quality Mitigation and monitoring.

10.19 An Air Quality Assessment has been submitted and agreed, together with a mitigation statement and strategy for the whole site. This was agreed under Discharge of Condition 2019/91971, and provides a framework against which each of the units makes an appropriate contribution towards the entire sites air quality mitigation.

10.20 The total financial contribution required is £139,692.61 which was calculated in accordance with the West Yorkshire Low Emissions Strategy (WYLES). This has been implemented for Phase 1 (ie Unit 1) but a breakdown of the contributions per unit is set out below:

- Unit 1- £40,070 (28.7%)
- Unit 2- £12,730 (9.1%)
- Unit 3- £10,792 (7.7%)
- Unit 4- £25,736 (18.4%)
- Unit 5- £32,654 (23.4%)
- Unit 6- £17,711 (12.7%)

10.21 The mitigation is used towards Travel Plan provision (monitoring is provided separately via the existing Section 106 Agreement,) pedestrian crossing and cycleway improvements and each of the units has cycle sheds and bays and changing and shower facilities. These measures are identified as appropriate mitigation within the West Yorkshire Low Emissions Strategy.

10.22 In addition, there is a second part to this condition which requires an air quality monitoring report 6 months after the completion of the final unit to ensure the agreed mitigation measures are being implemented and are being effective.

Condition 16. Provision of electric vehicle charging points.

10.23 The provision of 2 no electrical vehicle charging points has been approved for Phase 1 under Discharge of Condition 2019/93367. The submission indicates an additional vehicle charging point for each of the new 5 units. This is

10.24 The provision of these EVC points is in addition to the Air Quality Mitigation Mitigation measures outline above.

Condition 19. Surface water to be passed through oil interceptors prior to discharging to the outfall or watercourse;

Condition 20. All downpipes carrying rainwater to be sealed at ground level;

Condition 21. Provision of manhole covers to enable inspection and sampling

- 10.25 These conditions do not require the submission of any details rather the implementation of agreed site drainage measures. These measures have been implemented satisfactorily within phase 1 and can be verified following the completion of phase 2. These conditions are still enforceable with respect to phase 2.

Condition 22. Details of foul and surface water drainage

- 10.26 The drainage details of this site, were agreed under Discharge of Condition 2019/93367. This scheme agreed that there would be split with regard to surface water, split between phase 1 and phase 2, with different outfalls and run-off rates for each of the two phases.

- 10.27 The clarification and information previously requested has now been received and relates to the clarifying of the location of the outfall for phase 2. This information identifies an alternative surface water connection out of the Phase 2 Industrial development, also within Taylor Hall Lane. This accommodates the requirements and constraints of the Yorkshire Water Authority. The originally agreed run off rate of 11l/s is still appropriate and should be retained by condition. This alternative solution has been negotiated with the Council as Lead Local Flood Authority

Condition 23. No piped discharge of surface water from the site until the approved surface water drainage scheme has been completed.

- 10.28 This condition does not require the submission of any details rather the implementation of agreed site drainage measures on phase 2 as have been implemented on phase 1. This condition is still enforceable with respect to phase 2.

Condition 24. No buildings to be occupied prior to the completion of the approved foul drainage scheme.

- 10.29 This condition does not require the submission of any details rather the implementation of the agreed drainage measures on phase 2 as have been implemented on phase 1. Unit 1 has been occupied and the agreed foul drainage provided and this can be applied and enforced for the units in phase 2.

Condition 25. Surface water from hardstanding areas in the industrial development shall be passed through an appropriate interceptor. Rainwater shall not pass through the interceptor

- 10.30 This condition covers the same issue as Conditions 19 and 20 (above), and condition 32 (below.).

- 10.31 This condition does not require the submission of any details rather the implementation of agreed site drainage measures. These measures have been implemented satisfactorily within phase 1, and can be verified following the completion of phase 2. These conditions are still enforceable with respect to phase 2.

Condition 26.Landscape Management Plan

- 10.32 A landscape Management Plan has been submitted for and agreed under Discharge of Condition 2019/91971. It covers all aspects of the site landscaping from the boundary hedges to the grass meadowland to the rear of the buildings that have already been approved in the landscape scheme on both the outline approval and Reserved Matters for unit 1.
- 10.33 The maintenance scheme relates to different types of landscaping rather than a one method fits all approach and is considered acceptable, also it is enforceable. The Landscape Management Scheme is acceptable and will continue to apply to the landscaped areas and details agreed for phase 2.

Condition 28 Provision of site construction plan

Condition 29. Provision of on-site parking for workers during the construction period

- 10.34 The original approval for the site 2014/90688 was subject to such a plan, for both the residential and industry elements and those details were approved as part of that application. This together with the agreed Construction Management Plan for the entire development (ie both housing and industry) cover the site construction and worker parking details. This has been implemented and remains in place and is enforceable until the completion of phase 2, and also the remainder of the housing scheme.

Condition 32. Details of surface water flows from parking and hard standing areas in the Industrial development

- 10.35 This condition covers the same issue as Conditions 19 and 25(above),
- 10.36 This condition does not require the submission of any details rather the implementation of agreed site drainage measures. These measures have been implemented satisfactorily within phase 1, and can be verified following the completion of phase 2. These conditions are still enforceable with respect to phase 2.

Condition 33. Details of drainage strategy, outfalls, capacity (flow rates to accord with those agreed in the originally approve Flood Risk Strategy).

- 10.37 These details and calculations cover the same issues and inform the surface water strategy agreed under Condition 22 above. The flow rates from the originally approved Flood Risk Assessment have been applied, and the implementation of the approved surface water drainage strategy is enforceable for phase 2.

Condition 34. Temporary surface water drainage strategy for the duration of the Construction

10.38 The Temporary Drainage Strategy for both the housing and industry has been Agreed. Clearly the on-site temporary measures change and are put in place prior to the implementation of different phases of the development. The agreed strategy and measures are appropriate for the Phase 2 scheme and should stay in place during the implementation of Phase 2. This agreed strategy remains enforceable.

11.0 CONCLUSION

11.1 The principle of this use on this part of the site is long established and the implementation and completion of phase 1 of the site has delivered and safeguarded employment opportunities in the district in accordance with the site allocation within the Local Plan. It should also be noted that two of the units proposed in this scheme have potential occupiers.

11.2 The proposal is for reserved matters, covering scale and appearance, layout and landscaping. These submissions are considered to be acceptable and are addressed in detail above. As such the Reserved Matters are recommended for approval.

11.3 The discharge of conditions, mentioned by the applicants are only so far as they relate to phase 2, having already being discharged for phase 1. A number of these are affectively the same information, and other site wide conditions, such as the Construction and Environmental Management Plan, Travel Plan and landscape management Plan, all apply to the whole site, including phase 2. The additional information/clarification requested regarding drainage, internal highways and air quality mitigation have been provided and are satisfactory. As such, all conditions relating to phase 2 of the Industry are satisfied.

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

- 1 Samples of materials of buildings to be submitted
2. Details of Boundary treatments - fencing as part of landscaping
- 3 Internal parking/ servicing provided and maintained
4. No external storage - in parking/service areas

Background Papers:

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f94152>

Certificate of Ownership – *N/A for this type of application*