
Report of the Head of Planning and Development

STRATEGIC PLANNING SUB-COMMITTEE

Date: 3 June 2021

Subject: 2020/20230 – Pre-application for the construction of a Class B8 storage and distribution unit with ancillary offices, car parking, servicing, landscaping and access at land to the north & west of ‘The Roys’, Whitechapel Road, Cleckheaton

APPLICANT: ISG Retail Ltd (Bristol)

DATE VALID

16-June-2020

TARGET DATE

-

EXTENSION EXPIRY DATE

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LOCATION PLAN



Map not to scale – for identification purposes only

RECOMMENDATION: That members note the contents of this report for information.

1.0 INTRODUCTION

1.1 This pre-application enquiry is brought to the Strategic Planning Committee to inform members of a potential planning application for a storage and distribution warehouse facility within Use Class B8 on land between Whitehall Road, Whitechapel Road and the M62, to the east of Scholes village.

- 1.2 The proposal would be of a significant scale with a total warehouse area of approximately 265,600m² and delivering approximately 1,500 jobs.

2.0 SITE AND SURROUNDINGS

- 2.1 The pre-application site, which is presently in agricultural use, extends to approximately 23.7 hectares. It lies close to Chain Bar roundabout (J26 of the M62) and is bounded by roads on three sides. It borders the M62 to the east, separated from the motorway by a woodland verge. The A58 (Whitehall Road) adjoins it to the north with Whitechapel Road (B1520) to the south, abutting the gardens of the mainly residential properties on the northern side of this road. To the west, it is adjoined by Cleckheaton New Cemetery on the southern side of the site, Beardworths Ltd Nursery to the northern side and further agricultural fields. Beyond the immediate environs, the settlement of Scholes lies to the west, Oakenshaw to the north and Cleckheaton to the south-east.
- 2.2 The site is characterised by its current agricultural function. It has a wide open form, bounded largely by natural stone walling along much of its southern perimeter to Whitechapel Road and timber fencing to the northern boundary on Whitehall Road. It is enclosed by mature established tree cover on its western perimeter. There is a significant change in level across the site sloping downward from approximately 144 metres AOD at the south-east corner to approximately 120 metres AOD in the north-west.
- 2.3 Bisecting the site is a Public Right of Way. This footpath (SPE-24/30) forms part of the Spen Valley Heritage Trail. Furthermore, a shared footpath/cycle path (the Spen Valley Greenway and National Cycle Route No.66) runs close to the site to the north-east.

3.0 PROPOSAL

- 3.1 This pre-application proposes the construction of a single building to deliver a storage and distribution facility within Use Class B8.
- 3.2 The ground floor footprint of the main building would extend to approximately 64,607m². It would comprise ground floor plus three and a half upper floors, bringing the total warehouse area to 265,600m². It would be 317m in length, 178m in width and constructed to a height of 23m.
- 3.3 HGV parking would be provided to the north, east and south of the warehouse. Plans submitted to date indicate HGV parking numbers at approximately 191 spaces, as well as 20 queuing spaces up to the security gate within the site boundary. Car, motorcycle and cycle parking would be to the west of the building on a partially-decked car park. This would provide approximately 887 spaces, including 44 disabled spaces and 88 electric vehicle charging spaces), motorcycling parking (45), 88 cycle spaces and four bus parking spaces.

- 3.4 Indicative elevations of the building, which have only been submitted to the Council very recently, suggest a warehouse that constructed with metal cladding that grades from a banding of dark grey at the ground floor level, through shades of grey to a white band at the top of the building. A large section of glazing would be provided around the ground floor entrance with further areas of high level glazing at particular levels and horizontal bands around entrance cores.
- 3.5 HGV access to the building would be taken from the north of the site, off Whitehall Road. Access for cars, motorcycles and cycles would be separate and taken via Whitechapel Road to the south.
- 3.6 A section of the existing footpath (Spenn Valley Heritage Trail) would need to be diverted (this would be an entirely separate process to the planning application). Furthermore, a new pedestrian and cycle route would be created to link Whitehall Road and Whitechapel Road.
- 3.7 Extensive earthworks would be necessary across the site. This would include lowering the levels in the southern part of the site that the building sits lower into the ground. A substantial acoustic bund would be introduced to the Whitechapel Road boundary, which would be landscaped with additional woodland planting. The proposal also includes woodland planting, trees, hedges and green space around the northern, eastern and western perimeter of the site, together with planting and green space along Whitechapel Road.
- 3.8 The applicant states that a distribution and storage warehouse facility of this type and size would create employment for approximately 1,500 staff. There would be a wide range of job opportunities across a number of professions, including engineering, IT professionals, robotics, general management, human resources and team members to manage customer orders. Catering and support staff, cleaners, landscape gardeners and security personnel would also be required. Furthermore, at least 800 jobs would be created during the construction and fit out stages of the project. Mechanisms to prioritise local recruitment are being addressed.
- 3.9 Any future application would be supported by a full Environmental Impact Assessment (EIA). This would include a full Transport Assessment (TA), Air Quality Assessment, Noise Impact Assessment, Landscape Visual Impact Assessment, Flood Risk and Drainage Assessment, Economic Assessment and Ecological Impact Assessments.

4.0 CONSULTATION RESPONSES

- 4.1 As part of the pre-application enquiry process the following key consultees within the Council have been contacted to seek their advice on the potential implications of such development in this location, and the measures required to mitigate any associated impacts. The advice provided by these consultees is set out within the appraisal below:

- KC Highways Development Management
- KC Conservation and Design
- KC Public Rights of Way
- KC Lead Local Flood Authority
- KC Environmental Services
- KC Ecology
- KC Trees
- West Yorkshire Police Designing Out Crime Officer

4.2 Ward Members have also been advised that the application has been submitted.

4.3 The applicant commenced a public consultation exercise on Saturday 8th May 2021 running through to Sunday 23rd May 2021. This included a newsletter mailed to circa 7000 residential and business addresses. This was also sent to Ward Members in Cleckheaton as well as those in Wyke (Bradford), local MPs, the Council Leader and Deputy Leader. In addition, the applicant undertook two webinars; the first being an invitation only for those immediately neighbouring residents and businesses on Tuesday 18th May and a public webinar on Wednesday 19th May. A consultation website has also been set up, which includes the opportunity to complete an online and postal feedback form at www.cleckheaton-storage-and-distribution-warehouse.co.uk.

5.0 MAIN ISSUES

5.1 The main issues at this stage include the following:

- Principle of development;
- Access and highway matters;
- Urban design;
- Residential amenity;
- Drainage and flood risk;
- Landscape and Ecology;
- Air quality;
- Public Rights of Way
- Other matters.

Principle of development

5.2 The application site is allocated for employment use in the Kirklees Local Plan. It forms site allocation ES6 - land to the north and west of 'The Royds', Whitechapel Road, Cleckheaton.

5.3 The site allocation states that the gross site area extends to 23.53 hectares, with a net site area of 10.68 hectares, to take account of a high pressure gas pipeline and a buffer removed from the developable area. The indicative employment capacity is identified as 37,380 square metres.

5.4 The site allocation recognises the following constraints:

- Site affected by Public Right Of Way
- The provision of a combined cycle / footway is required across the site frontage
- Limited surface water drainage options
- Third party land potentially required to achieve drainage solutions
- Watercourse crosses the site
- Potentially contaminated land
- Potential for noise impact on adjacent cemetery
- Potential for odour impact on adjacent cemetery
- Air quality issues - site adjacent to M62
- Site is within an Air Quality Management Area
- Site affected by hazardous installations / pipelines
- Site is close to an archaeological site
- Site is close to the Wildlife Habitat Network
- Part/all of the site is within a High Risk Coal Referral Area
- Protected trees on part of the site

It also notes the following site specific considerations:

- A combined cycle/footway is required along the site frontage on Whitehall Road to tie into Spen Valley Greenway. A dedicated link to Spen Valley Greenway from inside the site should also be provided so as to avoid the A58
- Landscape character assessment has been undertaken for this site, which should be considered in the development masterplan
- Residential amenity will need safeguarding through sensitive siting of buildings and landscape buffer areas along Whitechapel Road
- A masterplan is required for this site to be prepared in accordance with policies in the Local Plan

5.5 The site area of this pre-application proposal extends beyond 10.68 hectares. In this regard, it is relevant to consider the wording of the Report on the Examination of the Kirklees Publication Draft Local Plan published 30 January 2019. In respect of site E1831 (as it was), the Inspector advised that the net developable area of the site and indicative capacity should be reduced in order to allow for provision of the landscaped buffer, and to take account of a gas pipeline across the site.

5.6 In this instance, the HSE have been consulted on the pre-application proposal (based on the limited information available at pre-application stage). The HSE are a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. In this case, they note that the site is within the consultation distance of a major hazard pipeline. However, the HSE does not advise, on safety grounds, against the granting of planning permission in this case. The HSE would, however, be consulted formally at planning application stage. Northern Gas Networks would also be consulted as part of any future planning application. Additionally, the applicant has advised that they are liaising with Northern Gas networks to ensure that the proposals reflect any restrictions.

- 5.7 Turning to the landscape buffer, in accepting the employment allocation, the Inspector noted that a landscaped buffer in the southern section of the site could help to provide mitigation and soften the edge of the development in this vicinity. She noted that the development would, by virtue of its extent, be visible and alter the open agricultural character of the site. However, the site is bounded by existing roads on three sides, which provide it with containment and limit its relationship with the open countryside. The sloping topography of the site would curtail views of the open countryside beyond the site, as seen from the M62 and A58. The Inspector also considered that the location of the landscaped buffer needs to be clarified for reasons of effectiveness. She noted that the masterplanning process would provide an opportunity to finalise the precise position of the landscape buffer and developable area, and any adjustments which are necessary to the site boundary in the south eastern corner adjoining land not within the Green Belt.
- 5.8 It is considered that the Inspector's comments indicate that the resultant extent of the developable area is not fixed by the site allocation. Instead it would be dependent upon an assessment of a masterplan and the extent and effectiveness of the landscape buffer. Consequently, it would be a key part of the assessment of any future planning application.
- 5.9 The Local Plan seeks to deliver 23,000 jobs between 2013 and 2031 to meet identified need. The Kirklees Economic Strategy (KES) sets out the priorities of the district, the first being the desire to attract and promote B2 uses. In this case, the pre-application proposes a high-end storage and distribution centre. The Site Allocation does not impose any restrictions relating to the type of employment use i.e. whether it should provide a particular proportion of B2 (general industry) or B8 (storage and distribution use) and the location does have the potential to host such a development, given the close proximity to the M62 and surrounding road networks subject to a full assessment of highway impact.
- 5.10 Whilst the development capacity proposed would exceed that outlined in the Local Plan allocation document, in principle, it would contribute towards the Council's growth aspirations to achieve an increased employment rate within the District. It would also represent an opportunity for the District to provide a range of high and low skilled jobs. Furthermore, the higher proposed floorspace would obviously create more jobs than initially predicted within the Local Plan.
- 5.11 For these reasons, it is concluded that the introduction of an employment facility on this site is acceptable in principle in accordance with the Site Allocation subject to a consideration of the Masterplan as detailed above and a full assessment against all other relevant policies within the Local Plan.

Access and Highways

- 5.12 Policy LP21 of the Kirklees Local Plan advises that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. Policy LP21 reflects guidance within the NPPF, which states at Paragraph 108 that in assessing applications for development, it should be ensured that there are appropriate opportunities to promote sustainable transport modes, that safe and suitable access to the site can be achieved for all users and that any significant impacts from the development on the transport network can be viably and appropriately mitigated. Paragraph 109 confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.13 Given the scale of this proposal, access arrangements and the highway impact of the proposal will be a key issue in the determination of any planning application on this site. The pre-application process has sought to scope the content of a future Transport Assessment. The Scoping Report clarifies that the issues to be addressed by the Transport Assessment will include the following:
- Accessibility by a choice of travel modes;
 - The compliance of the scheme with both national and local sustainable transport and development policies, including the National Planning Policy Framework and local development plan documents;
 - Trip attraction by all modes of transport;
 - Access and traffic issues, including the operation of access proposals, impact over the local highway network and road safety issues;
 - The benefits associated with the implementation of a Travel Plan; and
 - Parking provision.
- 5.14 The Scoping Report highlights that in reviewing the evidence base for the designation of this site for employment use through the Local Plan, agreement was reached with the Council with regard to an acceptable level of traffic associated with this site. This was based upon the traffic generation for a proposed development of 86,000m² of commercial (employment) uses and a likely mix of uses on the site comprising a maximum of 35% B2 Industrial (30,100sqm) and 65% B8 Warehousing (55,900 m²). A summary of the accepted movements is summarised below (HGV activity in brackets):

Time Period	Arrivals	Departures	Total
AM Peak	425 (68)	147 (101)	573 (168)
PM Peak	198 (88)	447 (46)	645 (134)

- 5.15 The Scoping Report notes that TA would be based upon the provision of 265,600m² of new floorspace. Considering the initial assessments, the Scoping Report identifies that the proposed development has the potential to generate in the order of 520 person trips in the morning peak, with the evening equivalent being in the order of 500 person trips. Of these, some 75% are expected to be completed as either a car or van driver. This is drawn from evidence within the TRICS database, a national database of trip rates for developments in the United Kingdom.
- 5.16 However, Council Officers have requested that the TA be based upon the trip attracting potential of the intended end user of the scheme. Officers at Highways England have also been consulted and requested a similar assessment. The Applicant has since submitted a draft TA to both the Council and Highways England that is predicated on the impact of the intended end user, which shows the bulk of vehicle activity will take place outside of the traditional peak commuting hours (i.e. 08:00-09:00 and 17:00-18:00) due to scheduled shift change over times.
- 5.17 It is understood that the methodology that has been followed has been accepted at numerous locations across the country. It also includes a further assessment based on the TRICS evidence to reflect the fact any application would not be focused on a specific named entity. On the basis that the bulk of movements would take place outside of the peak hours, the draft TA shows that the intended end user is expected to generate only 20 to 40 vehicle movements between 08:00-09:00 and 17:00-18:00. This compares to the 573 and 645 that was assessed for the Local Plan, as shown in the above Table.
- 5.18 In terms of highway impact and mitigation, following feedback from Council Officers, it is intended that the TA would concentrate on the following junctions:
- Whitehall Road/ Westfield Lane;
 - Chain Bar Interchange;
 - Whitechapel Road/ Turnsteads Avenue;
 - Junction 6: Bradford Road/ Whitechapel Road/ Hunsworth Lane;
 - Whitecliffe Road/ Turnsteads Avenue/West End;
 - Bradford Road/ Whitecliffe Road;
 - A638 Bradford Road/ A643 St. Peg Lane/ A638 Dewsbury Rd/ A643 Parkside and;
 - The proposed site access junction on Whitehall Rad and Whitechapel Road.

The assessments would include traffic surveys and allowances for committed developments, allowance for traffic growth and an assessment of traffic distribution. Highways England would also be consulted on any planning application to consider the impact of the proposal on the Chain Bar Interchange and the M62.

Access

- 5.19 Access to the site would be achieved via the construction of two new priority controlled accesses. The first would be located on Whitehall Road to the north. This would be the sole point of access for HGVs given its proximity to the Strategic Road Network. It would also be accessible to staff and visitors, albeit they would be encouraged to use the second access via Whitechapel Road to the south wherever possible.
- 5.20 The design and impact of the access arrangements, including safety considerations, would be fully assessed through the planning application process.

Parking and Servicing

- 5.21 The TA Scoping Report advises that the level of parking proposed would be commensurate with the demands that the applicant anticipates in this location. The TA would include a detailed justification for this, having regard to operational characteristics. This, again, would need to be assessed a part of a full planning application.
- 5.22 A review of servicing proposals will also be included in the TA.

Accessibility

- 5.23 The TA scoping note considers the application site to be well located for sustainable transport networks that provide existing residents of this area of Cleckheaton with several practical alternatives to the private car. These include a network of footways and formal cycle routes that link the application site to the West Yorkshire Cycle Network and with other modes of sustainable transport in the local area, such as Low Moor Railway Station.
- 5.24 Nevertheless, the applicant recognises there is likely to be a need to enhance the current infrastructure so that future employees are encouraged to make greater use of non-car modes. In accordance with the requirements of the wording attributed to Site Allocation E6, these are expected to include providing new pedestrian/infrastructure along the site frontage on Whitehall Road and the diversion of Footpath SPE 24/30. The indicative masterplan also makes provision for a shuttle bus turning loop.
- 5.25 The Council's Highways Development Management Team will consider the scoping report as part of this pre-application submission and these matters will then be fully considered as part of any future application.

Urban design issues

- 5.26 Policy LP24 of the Kirklees Local Plan advises that good design should be at the core of all proposals in the district and should be considered at the outset of the development process. This will need to be demonstrated as part of a future planning application submission.
- 5.27 The Council have only recently been presented with the elevation details for the proposed development, prepared to support the public consultation exercise. These are indicative at this stage but specify that the building elevations would be constructed of banded composite cladding panels, the colour of which would be graded from a dark anthracite grey at ground floor level through lighter shades of grey towards a very light grey band at the top of the building. It is assumed the banding is intended to mitigate the scale of the development and encourage it to visually blend towards the sky. This approach, and the use of a recessive colour (in this case grey) is a commonly used design approach for buildings of this type to assist in integrating the building into the landscape.
- 5.28 At this stage, Officers have offered no comment on the elevation details but have consistently advised through the pre-application process that any development would be expected to promote good design by ensuring that the form, scale, layout and details of the development respects and enhances the character of the townscape and landscape. It would need to be of a quality that serves to mitigate the scale of the building as far as practicable.

Residential amenity

- 5.29 Policy LP24(b) of the KLP confirms that proposals should provide a high standard of amenity for future and neighbouring occupiers. Accordingly, a key consideration in the assessment and determination of any future planning application will be the impact of the proposal on the living conditions of residential occupiers that adjoin the site.
- 5.30 The closest residents to the site would be those properties fronting Whitechapel Road. In terms of the scale of the building, the indicative masterplan indicates that a landscaped corridor and bund would be installed on the southern boundary of the site to provide a buffer between the development and these existing houses.
- 5.31 The applicant has also recently provided some initial cross-sections showing the relationship between the development and some of the existing properties on Whitechapel Road. Further cross-sections would be required to support any future application. As submitted, the plans indicate a landscaped corridor of varying widths of between 25-30 metres. This extends to around 35-50m along Whitechapel Road. An additional 2 metre bund and a 2 metre high acoustic fence on top is proposed adjacent to those properties that back onto the site. For those buildings that front onto Whitechapel Road, the proposed building as shown on the draft Masterplan would be around 200 metres away. This would at least provide some visual separation but the impact will have to be fully assessed as part of any future application.

- 5.32 In terms of noise impacts, the Council's Environmental Health Officer has advised that there are a number of concerns regarding noise. In particular, the potential impact of the development on noise sensitive residential properties adjacent to the southern boundary of the site and adjacent to Whitechapel Road close to the indicated southern site vehicle access road. Significant numbers of vehicles accessing the site via the southern vehicle access point at Whitechapel Road would be likely to result in increased noise levels at noise sensitive premises in the vicinity, particularly if these vehicle movements would involve HGVs and occur at more sensitive times of the day, such as throughout the night. However, the applicant has confirmed that HGV movements would be via Whitehall Road. In this regard, Environmental Health advise that there are no noise concerns relating to vehicles accessing the site via Whitehall Road.
- 5.33 The masterplan also indicates truck parking spaces adjacent to the southern boundary and HGV loading bays at the southern façade of the building. Environmental Health have commented that this places potentially noisy activities close to noise sensitive residential premises, which is not an ideal arrangement, particularly if these are intended to be used throughout the night. It is considered that placing the large car parking area adjacent to the noise sensitive southern boundary would be acoustically a much better site arrangement. Environmental Health have no concerns regarding loading bays and HGV parking spaces away from the southern part of the site.
- 5.34 The applicant has held subsequent meetings with the EHO Officer and agreed the scope and methodology of the noise impact assessment required. The applicant explained that the site layout takes into account a number of constraints and the applicant has sought to find the optimum arrangement. The design incorporates a landscaped bund and 2m acoustic fence along the south of the site, to the rear of properties on Whitechapel Road in order to mitigate noise within the site. In any event, a noise impact assessment would be required with any future application. The assessment would consider the existing noise climate, in particular in the vicinity of existing noise sensitive premises adjacent to the site and adjacent to roads that will experience significant increased traffic flows as a result of vehicles visiting the finished development. The assessment would then determine the likely noise impact that the operational phase of the development will have on those noise sensitive premises. If the assessment determines that noise is likely to have any detrimental impact, then suitable adequate noise mitigation measures would need to be provided.
- 5.35 Detailed information regarding any lighting within the site would also be required with a future application. In terms of the relationship to existing properties, it is anticipated that the landscaped buffer/bund would mitigate a concern that may arise about headlights shining into properties.
- 5.36 Finally, it is advised that for a development of this size the Council would expect a Construction Environmental Management Plan to be submitted and agreed before any significant construction work started. This would consider matters such as the potential for noise, vibration, dust and artificial light arising from construction activities, including vehicle movements. It would also detail the required mitigation measures in accordance with best practice that would be implemented to minimise any adverse impacts that might arise.

Drainage and Flood Risk

- 5.37 Guidance within the NPPF advises at Paragraph 163 that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. This approach is reinforced in Policy LP27 of the KLP, which confirms, amongst other matters, that proposals must be supported by an appropriate site specific Flood Risk Assessment (FRA) in line with National Planning Policy. Policy LP28 of the KLP relates to drainage and notes a presumption for Sustainable Drainage Systems (SuDs) and also, that development will only be permitted if it can be demonstrated that the water supply and waste water infrastructure required is available or can be co-ordinated to meet the demand generated by the new development.
- 5.38 The site is in Flood Zone 1 on the Environment Agency's Flood Map for Planning. This means that it is land that is at the lowest risk of flooding from main river sources. There are two areas on this site identified as being at risk from surface water flooding. Water is predicted to flow along the edge of the motorway causeway. Ponding is also predicted at the southwestern boundary of the site where the site begins to slope towards Whitechapel Road (B6120). The LLFA have also advised that there are three recorded incidents of surface water flooding on Whitechapel Road to the southwest of the site. The cause of these incidents is unknown and could potentially be the result of run-off from the site. As it has not been developed previously it is unlikely that any flooding incidents will have been recorded.
- 5.39 The LLFA advise that the Council aim to promote sustainable drainage throughout the district. They therefore expect developers to follow the drainage strategy hierarchy, as described in National Planning Practice Guidance: Flood Risk and Coastal Change. They recommend in this instance that the developer investigate the possibility of including infiltration based drainage in their design.
- 5.40 Given that the site area exceeds 1ha, a Flood Risk Assessment and Drainage Strategy will be required with any application.

Landscape and Ecology

- 5.41 Policy LP33 of the KLP advises, amongst other matters, that 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. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme.
- 5.42 The Council's Arboricultural Officer has advised that, in general, there are no objections to the principle of this development. There are a handful of individual field trees on the site but these appear not to be particularly prominent specimens. However, any planning application will need to be supported by an Impact Assessment and Method Statement to identify the level of tree loss on site and show how the adjacent woodland areas will be protected during construction.

- 5.43 In addition, there are three established hedgerows, which criss-cross the site. These will need surveying to ascertain their value and to see if any meet criteria of an 'important hedgerow' under the Hedgerow Regulations. If one of these hedgerows is identified as meeting the criteria of the Hedgerow Regulations, consideration would need to be given to translocating the sections of hedgerows that are affected to elsewhere on site. If this were necessary and found to be acceptable in principle, it would only be done outside the nesting season, and other measures to minimise disruption to the ecological integrity of the hedgerow would also be required.
- 5.44 Any planning application will need to be supported by substantial landscaping scheme, to include new tree planting, and a landscape management plan. This scheme should focus on enhancing the local features and wildlife value of the site.
- 5.45 Turning to Ecology, Policy LP30 of the KLP confirms that the Council will seek to protect and enhance the biodiversity and geodiversity of Kirklees. The applicant would be required to prepare an Ecological Impact Assessment to support the application. As outlined in the policy, it would also be necessary for the applicant to demonstrate that the development minimises the impact on biodiversity and provides net biodiversity gain through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.

Air quality

- 5.46 The West Yorkshire Low Emissions Strategy (WYLES) -Technical Planning Guidance divides applications into three impact types (Minor, Medium and Major) using specific criteria to determine the type. Actions and mitigation requirements are dependent on the development use class and which impact type it is classified as. The proposed development has been reviewed in accordance with WYLES and because of the size of the development, the application would be classified as at least a 'Major' impact type.
- 5.47 It is noted that there are two vehicle access points to the development site, one to the north via the A58 Whitehall Road, and one to the south via the B6120 Whitechapel Road. Bounding the southern access along Whitechapel Road, there are many residential properties, plus Whitechapel C of E Primary School on the other side of the motorway. Continuing along the B6120 towards Cleckheaton there is Whitcliffe Mount School. In terms of air quality these are all sensitive receptors
- 5.48 Before any future application could be determined, the Council would require the submission of a detailed Air Quality Impact Assessment. It is important to ensure that the proposed development does not adversely affect local air quality and/or impact any existing Air Quality Management Areas. As such, and in accordance with the WYLES -Technical Planning Guidance, the Air Quality Impact Assessment would be required to:

- Determine the impact that the development will have on local air quality and public health and identify the level of exposure through the change in pollution concentrations including cumulative impacts from other developments within the area arising from the proposal;
- As standard practice, a sensitivity test would need to be carried out, using receptors close to the development site by running the model with baseline emission factors and backgrounds to give a worst-case scenario;
- Detail the increase in traffic levels, trip rates and vehicle movements;
- Include a calculation of the monetary damages from the development and
- Include a fully costed mitigation plan detailing the proposed low emission mitigation measures. The monetary value of the damages should be reflected in money spent on the low emission mitigation measures;
- For anything to be considered as acceptable as part of the approved low emission mitigation measures it must be something that is to be provided in addition to what is normally provided at a development and also is not otherwise required. For example, the costs of providing footpaths and electric vehicle charging points would not be accepted as part of the costed mitigation measures;
- Produce a Travel Plan including mechanisms for discouraging high emission vehicle use and encouraging modal shift (i.e. public transport, cycling and walking) as well as the uptake of low emission fuels and technologies, and;
- All commercial vehicles operating from the site should comply with current or the most recent European Emission Standards from scheme opening, to be progressively maintained for the lifetime of the development.

5.49 The Council would also expect details of the provision of Electric Vehicle Charging Points at the development to be included with any future application. The applicant has already indicated that EVCPs would be part of their proposal.

Public Rights of Way

5.50 The development of this site as proposed would require the diversion of Footpath SPE24/30, which bi-sects the site. An initial dialogue has been opened with the Public Rights of Way Team to progress this aspect of the design. The diversion would be subject to a separate legislative process beyond the determination of the planning application.

Other Matters

5.51 The applicant has been advised that the Council approved a Climate Emergency at its meeting of full Council on 16/01/2019. Additionally, the West Yorkshire Combined Authority's pledge for the Leeds City Region to reach net zero carbon emissions by 2038 such that any forthcoming applications must respond positively to these policies and initiatives. It is considered particularly important given the scale of this proposal.

5.52 In the course of the pre-application, Officers have put forward the following suggestions to the applicant:

- An appropriately certified zero carbon (or nearly zero) approach to building using a recognised methodology and appropriate benchmarks;
- Within this, consideration for the potential for maximising renewable generation for the facility (solar PV particularly);
- Green roofing and walls where appropriate to increase biodiversity and improve insulation;
- Peripheral landscaping enhancement to maximise biodiversity value;
- Consideration of workforce commuting and maximisation of low emissions transport through:
 - Public transport provision/subsidisation?
 - Maximisation of staff EV charging provision;
 - Maximisation of staff active travel opportunities (including maximising the opportunity of the Spenn Valley Greenway) and;
- The nature of the facility will serve a lot of HGV traffic. Whilst beyond the scope of the application, it is well within the lifespan of the facility that this HGV traffic will need to transition away from fossil fuels to something else, most likely towards hydrogen/hydrogen hybrid and it was suggested to the applicant that an appreciation of this, via a roadmap, could be evidence of their commitments moving forward.

5.53 It is evident from the pre-application submission that some of these measures are included within the proposal to a degree, such as the introduction of EVCP, public transport opportunities and connections to the Spenn Valley Greenway. No information has been provided in respect of the approach to the construction of the building itself, nor any indication that opportunities to incorporate green roofing and walls have been considered. This will be assessed further through the course of the future planning application.

5.54 The West Yorkshire Police 'Designing Out Crime' Officer has also considered the pre-application submission and made a number of observations about the proposal. These include comments from West Yorkshire Police Roads Policing with regard to the impact of any proposals on Chain Bar roundabout, particularly regarding any contingencies should a delay occur within the storage facility causing the HGV's to queue to gain access to the site. These matters will be fully reviewed in the course of any planning application and it will also involve dialogue with Highways England. WY Police also raised a concern regarding the main entrance on the A58 where the speed limit is the National speed limit (60 mph). This will also require proper consideration going forward. From a crime prevention perspective, the applicant would also need to provide further information, including details relating to boundary treatment, site access controls and lighting, which will be expected as part of any application. In this regard, the applicant has confirmed that they have held a number of meetings with WY Police as part of the pre-application process.

5.57 As previously set out in the report, this proposal would generate a significant number of jobs within the District. Policy LP9 of the Kirklees Local Plan advises that wherever possible, proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district with the aim of increasing wage levels and to support growth in the overall proportion of the districts' residents in education or training. Applicants are encouraged to reach an agreement with the Council about measures to achieve this. Measures could include the provision of specific training and apprenticeships that are related to the proposed development, to support other agreed priorities for improving skills and education in Kirklees or the creation of conditions to support a higher performing workforce, increasing productivity and the in work progression of employees. The Council would therefore seek to secure an agreed training or apprenticeship programme with the applicant.

6.0 CONCLUSION

6.1 This pre-application is brought to the Strategic Planning Committee to inform members of a potential planning application for a storage and warehouse facility within Use Class B8 of up to 265,600m² that would create circa 1700 jobs. This report sets out the key considerations for any future planning application.

7.0 RECOMMENDATION

7.1 That members note the contents of this report for information.