

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

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

8 FEBRUARY 2018

Planning Application 2017/93488

Item 10 – Page 27

Outline permission for erection of 96 dwellings and planning permission for infill of land

Land at Walkey Terrace and Brunswick Street, Heckmondwike

Since the completion of the committee report the following information/documents have been received:

(i) comments have been received from Cllr M Bolt regarding this proposal. These comments are therefore reproduced in the update for members' attention:

“...Although recommended for refusal I feel I must make comment on the above application in case it progresses, as I fear information may be missing

This land has been a missing link in Kirklees sustainable transport corridors for some time, and with recent news that former lines such as Skipton-Colne and Oxford-Cambridge are being considered for reopening I feel a generic point and policy needs considering for former rail corridor developments.

Whilst this line has been lost due to the lack of such policy others may still be salvaged

The officer report says that the land has no designation in the UDP, which is not true, I have checked to make sure I wasn't mistaken and it clearly has designation as a green corridor policy D6 and T18 as a cycling/pedestrian route (or Greenway as we named them in Kirklees)..."

<http://www.kirklees.gov.uk/beta/planning-policy/pdf/udp/maps/3.pdf>

para 10.2 The site is unallocated in the Unitary Development Plan although is identified as a wildlife corridor and a potential pedestrian/cycle route. Within the emerging local plan, the site was promoted as a potential housing allocation but was rejected by the Council due to concerns about the likelihood of the resolution of significant identified constraints in order that the site could be brought forward during the plan period. Consequently the site has not been allocated for any specific purpose within the local plan but has been identified as providing a potential link to the district's Core Walking and Cycling Network.

Is in my view wrong as it doesn't provide a link, but is an integral part of the Greenway network , a link by definition is a connection , whereas this is a through route

The report on which committee will make a decision refers to

This proposal would reduce the possibility of creating a link to the wider cycle network.

Response:

The proposal does include the provision of a further extended link to the Spen Green Way and therefore offers an opportunity to extend the cycle and pedestrian network in accordance with the Council's objectives both within the Unitary Development Plan and the emerging Local Plan.

But there is no detail in the report about this proposed provision ,where is this to be found and shouldn't all material information be in the report for members to read and consider? What is the proposal in terms of path size and surfacing please?

If the site is accepted in the local plan as unallocated, what is the intention to deliver the cycle route link after nearly 20 years of waiting?

Officers response to Cllr Bolt's comments:

As indicated in para 10.2 which Cllr Bolt reproduces in his comments, the committee report makes it clear that the UDP identifies the site as a wildlife corridor and a potential cycle/pedestrian route. These designations are not allocations.

With regard to the use of the sentence. "Consequently the site has not been allocated for any specific purpose within the local plan but has been identified as providing a potential link to the district's Core Walking and Cycling Network.", it is accepted that the following wording would better describe the current status of the site:

Consequently the site has not been allocated for any specific purpose within the local plan but has been identified as an indicative route forming part of the district's Core Walking and Cycling Network as it could provide a link to existing operational infrastructure.

Para.3.2 of the committee report makes it clear that this application seeks permission for the formation of a cycle/pedestrian link to the current spur from the Spen Greenway. This will be expanded upon when the application is presented to committee.

As previously indicated, whilst the site is unallocated in the emerging local plan an indicative route is identified as forming part of the district's Core Walking and Cycling Network. Consequently when opportunities arise through the planning process, this aspiration will be a material planning consideration.

(ii) A petition against the proposal containing 276 signatories. The issues raised in the petition have been addressed in the committee report.

(iii) A further 2 representations have been received objecting to the proposal. Again the issues raised have previously been addressed in the committee report.

(iv) Whilst not requesting a formal amendment to this proposal, the applicant has suggested that the temporary access proposals associated with the landfill operation could be improved by the inclusion of traffic signals to control HGV access to and egress from the site.

Whilst it is acknowledged that such measures do have the potential to improve highway safety, it is considered that the nature of this development is such that the use of signals in this location is unlikely to lead to significant improvements and overcome the likely adverse impacts.

Landfill sites often operate on a campaign basis with intense periods of activity reflecting the fact that developers require material to be removed from their site quickly to facilitate their construction deadlines. Consequently HGVs can arrive at the landfill destination with very little time between deliveries. It is therefore important that there are sufficient measures to get HGVs off the highway quickly to prevent vehicles queuing. It is considered that, in this case, there is a real possibility that HGVs will queue onto the highway network prior to accessing the site causing a significant risk to highway safety.

Planning Application 2017/94080

Item 11 – Page 47

Erection of precast concrete production unit, demolition of existing casting shed and ancillary buildings, associated site works to modify external storage areas and installation of gantry cranes

**C R Longley And Co Ltd, Ravensthorpe Road, Thornhill Lees,
Dewsbury, WF12 9EF**

Appraisal

The report details the following outstanding matters to be resolved:

- The assessment of flood risk and the proposed drainage strategy
- The impact of HGV movements upon Air Quality Management Areas (AQMA's) in Scout Hill and Dewsbury
- Hours of operation for deliveries and dispatches to and from the site
- The provision of landscaping within the site

Flood risk & drainage:

Additional information provided by the applicant is still being considered by the Environment Agency and the Lead Local Flood Authority.

Air quality:

Whilst the applicants transport statement does not anticipate an increase in HGV movements as result of the development proposed, KC Noise & Pollution express concern that there is potential for an increase in HGV movements once the development is operational, given that operations will be

more efficient, with the potential impact this could have upon air quality within AQMA's in Scout Hill and Dewsbury.

It is therefore proposed that a condition be imposed, requiring that an air quality impact assessment be undertaken once the development has been brought into use and that any mitigation measures necessary at that point in time be implemented.

Hours of operation:

Officers are negotiating the hours of proposed deliveries to and dispatches from the site with the applicant. The hours of use of operations within the site remain unchanged from existing. It is intended that a condition be imposed to control the hours once agreement has been reached.

Landscaping:

The applicant has agreed to provide landscaping within the site to the boundaries with residential properties and the adjoining land allocated as Provisional Open Land (POL) in the UDP.

It is therefore proposed to impose a condition requiring approval of a landscaping scheme and its subsequent implementation and maintenance.

The applicant has provided the following clarification about the movement of vehicles within the site:

Understandably residents are accustomed to seeing concrete trucks collecting from the batching & mixing plant and moving the concrete around site to the various temporary buildings. Under the proposal these vehicle movements would cease. Concrete is delivered to the new building by the overhead concrete transport system to shuttle concrete between batching, mixing and the casting facility.

Recommendation:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within the main report and this update report and to resolve the following matters:

The assessment of flood risk and the proposed drainage strategy
The hours of proposed deliveries to and dispatches from the site

In the circumstances where the matters have not been satisfactorily resolved within 3 months of the date of the Committee's resolution then the Head of Strategic Investment shall consider whether permission should be refused on the grounds that the proposals are unacceptable; if so, the Head of Strategic Investment is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

Outline application for redevelopment of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8)

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

A private paper including confidential details has been sent to Members of the Planning Committee so they are aware of the financial implications of the current proposals. This is based on the reduced amount of intake of greenfield than was originally submitted to the Council and based on the quantum of the commercial development only as proposed.

Further consultee responses/comments :

Environmental services consider the assessments in the additional reports in relation to:

- short term noise and vibration assessment from construction activities,
- Long term noise from site activities including vehicle movements reverse alarms,
- Long term noise from fixed plant,
- Long term noise from traffic movements on site,
- Short and Long term noise from traffic movements on the public Highway, and
- Long term noise from car parking at the school car park

are satisfactory subject to conditions which would include the submission of a Construction Environmental Management Plan and mitigation measures to be incorporated into the final detailed proposals of the site as set out in the response from Environmental Health Officers dated 26th January 2018.

Highways England have requested a condition be included to ensure no development is carried out on safe guarded land identified in pink on the submitted plans.

Response: this can be included on the decision notice should Members be minded to approve the proposals.

Additional Representations received:

A further 24 representations are received since the completion of the committee report. The concerns of which are summarised below:

- Cliff Hollins Lane not suitable for heavy industrial traffic
- Concerns in relation to the proposed revised associated highway works and whether these would work
- Impact on highways queueing traffic would contribute to increasing air and noise pollution
- Highway safety concerns on pedestrians and other users of highways from intensified use by heavy good industrial traffic

- The entrance onto Chain Bar from Bradford road is the only one which isn't regulated by traffic lights additional traffic would add to existing highway concerns at this point.
- New road junction close to Woodlands First School would raise highway safety concerns
- New zebra crossing too close to a blind spot

Response: all associated revised highway works have been considered by Highway engineers/officers of both Kirklees and Bradford Council. In addition Highways England have been consulted on the Chain bar improvement works to introduce an additional lane link to the roundabout. In principle the proposed highway works are acceptable and considered would not adversely impact on the strategic or local road networks.

- Is the area at junction of Bradford Road/Mill Carr Hill Road adopted by the school to put their Christmas tree and where a bench has been provided by BASF for the elderly to use and the general area, to be removed to accommodate the proposals?

Response: This area is identified as council owned land, which is considered necessary for the road improvements. It may be possible to relocate the bench and identify another area for the siting of the Christmas tree.

- Viability assessment not available for public viewing

Response: This is a private confidential document which contains sensitive commercial information which is not available for public viewing.

- Additional sections do not clearly indicate height of proposed unit nearest to northern boundary/properties on Cliff Hollins Lane

Response: noted. The application is an Outline with all matters reserved therefore this matter would be considered at Reserved Matters stage, however the Environmental Statement has set out the maximum height of any buildings would not exceed 18 metres, however the final decision on building heights would be for the Reserved Matters stage. This matter is addressed in assessment of committee report

- Who would have responsibility of for ensuring the entrance to the proposed car park is safely maintained

- Insufficient information (drainage details) on car park proposals

Response: the car park proposals are submitted to Bradford Council who will be the authority considering all associated works in relation to the car park proposals including the issue of who would be responsible for the maintenance of the entrance to the car park.

- No documentation presented in respect of the conflict of junction plans of the Oak Mills development at the proposed T-junction

Response: noted.

- Lacks any concern over greenbelt

Response: addressed in committee report

- Proposals would risk the long term viability and continued operations of nearby riding school and livery stables

Response: there is no evidence to substantiate this statement and the distance from the site of approximately 1 mile combined with a restriction on HGVs travelling up Cliff Hollins Lane is considered sufficient protection.