



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Richard Marshall
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To: Kirklees Council

CC: transportplanning@dft.gsi.gov.uk
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Council's Reference: 2016/60/92298/E
Our Ref: SE 179 274

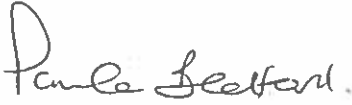
Referring to the planning application referenced above, dated 15 July 2016, Outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B/) and residential use (use class C3), Former North Bierley Waste Water Treatment Works BD12 7ET notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is not relevant to this application.¹

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, via transportplanning@dft.gsi.gov.uk.

Signature: 		Date: 5/8/16
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¹ Where relevant, further information will be provided within Annex A.

Annex A ~~Highways England recommended Planning Conditions /~~
~~Highways England recommended further assessment required /~~
~~Highways England recommended Refusal.~~

HIGHWAYS ENGLAND ("we") has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England has been working with the developer consultants intermittently since 2013 to understand the scope of the development, agree the resultant highways implications, trip rates and distribution to aid the development of a robust transport assessment and avoid abortive work. However, the recent changes to the proposed development mix from full employment to a mix of residential and employment use have not been subject to these same discussions.

In December 2014 Highways England announced a Road Investment Strategy (RIS) scheme to include the provision of a direct link from the M62 westbound to M606 northbound and remove significant congestion from the main part of the existing junction, with a start of works date anticipated to be March 2020.

Whilst Highways England were clear about the scheme outputs and had in our statutory response to Kirklees draft local plan consultation requested potential land required to facilitate the scheme and construction be safeguarded the full impact on the North Bierley site were less clear due to our scheme development processes; the scheme is currently still in the feasibility/options identification stage.

However, in the spirit of co-operation and in support of promoting economic growth Highways England took the un-precedented decision to share the worst case land scenario and key project milestone dates with the developer, in confidence ahead of public consultation, to allow them to either re-assess their development proposals to respect the potential land required, phase the submission of their development proposals around key milestones or hold back their application until such times as there was more surety regarding the impact on their land.

Despite having this full knowledge the developer has chosen to submit an application with a clear overlap resulting in a conflict between the land potentially required by the RIS scheme and the proposed development.

It would therefore be premature for Highways England to make a recommendation on this application whilst we are undertaking our RIS scheme due diligence processes and ahead of us being in a position to understand with any surety what the impact of these development proposals may have on the future delivery of the RIS scheme.

Highways England therefore recommend a holding direction is placed on the application until 31 October 2016 to allow further investigatory work to be carried out to understand the implications of the proposed development on the RIS scheme and associated costs to the public purse and also during which time we will held a non-statutory public consultation outlining the options that will be taken forward to the preferred route stage.

However, whilst Highways England are not in a position to support the proposals as submitted, we are supportive of the potential to develop the site in principle and should the developer wish to submit revised plans that take account of the potential land required to deliver the upgrades to the adjacent junction we would welcome the opportunity to continue working with them.

This response represents our formal recommendations with regard 2016/60/92298/E and has been prepared by Paula Bedford