



National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Simon Boyle (Regional Director)
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To: Kirklees Council FAO Kate Mansell

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: 2020/91889

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

Proposal: Outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment (use classes B1(c), B2 and B8) Discharge of Condition 20

National Highways Ref: 88462

Referring to the consultation on a planning application dated 29 June 2020 referenced above, in the vicinity of the M62 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- ~~b) Recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.¹

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

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Signature:	Date: 14 December 2021
Name: Paula Bedford National Highways 2 City Walk Leeds LS11 8AR	Position: Assistant Planning Manager

¹ Where relevant, further information will be provided within Annex A.

Annex A **National Highway's assessment of the proposed development**

National Highways has been appointed by the Secretary of State for Transport as a 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.

Recommended Temporary Non-Approval

It is recommended that the application should not be approved until National Highways have completed their due diligence checks on the recently received detailed design of the proposed mitigation scheme and been sighted on all the relevant supporting documentation ahead of a Stage 2 Road Safety Audit being undertaken on the finalised scheme.

It is understood that the S278 Agreement between Kirklees Council and the applicant is now in place and funded which is welcomed. However, National Highways will require a signed Section 6 agreement with Kirklees Council to be in place prior to any work on the SRN being undertaken.

Reason

To ensure the safe and continued operation of the SRN

We will review this recommendation no later than 10 June 2022

This response represents our formal recommendations with regard 2020/91889