



## National Highways Planning Response (NHPR 24-02) Formal Recommendation to an Application for Planning Permission

From: Simon Boyle (Regional Director)  
Operations Directorate  
North East Region Region  
National Highways  
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To: Kirklees Council FAO Victor Grayson

CC: [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk)  
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**Council's Reference:** 2020/92331

**Location:** Land east of, Leeds Road, Chidswell, Shaw Cross, Dewsbury

**Proposal:** Outline planning application for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1 uses), a 2-form entry primary school including early years provision, green space, access and other associated infrastructure

**National Highways Ref:** NH/24/07662

Referring to the consultation on a planning application dated 7 August 2020 referenced above, in the vicinity of the M62 & M1 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.<sup>1</sup>

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](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to [Planningyne@nationalhighways.co.uk](mailto:Planningyne@nationalhighways.co.uk).

<b>Signature:</b> <i>Paula Bedford</i>	<b>Date:</b> 26 September 2024
<b>Name:</b> Paula Bedford	<b>Position:</b> Planning & Development
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<sup>1</sup> Where relevant, further information will be provided within Annex A.

## **Annex A** National Highways' 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 Non-Approval**

It is recommended that the application should not be approved until:

The proposed revised trigger point mechanism put forward by the applicant in June 2024 and the condition wording to secure these interventions has not yet been agreed by all interested parties.

These trigger point proposals have been agreed in principle by National Highways but cannot be concluded in isolation as these have traffic implications on both the Leeds and Wakefield networks. Therefore, mutual agreement from all highways authorities is required prior to resolution being achieved.

The applicant has received a positive response from Wakefield Council regarding the mitigation scheme at M1 J40. However, discussions with Leeds CC, in relation to the scheme at M62 J28, remain ongoing with further work required of the applicant to address comments from the Council. This may require further modelling work to be undertaken to test alternative mitigation scheme trigger point scenarios. As such, this matter remains un-resolved.

Following agreement on the way forward we will work with the respective parties to agree the wording of a condition that will ensure the mitigation schemes at M1 J40 and M62 J28 are secured and delivered at the appropriate time.

I will re-visit this recommendation no later than 13 December 2024.

### **Reason**

To ensure the safe and continued operation of the SRN

### **Standing advice to the local planning authority**

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 74 and 109 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.