



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

From: Simon Boyle (Regional Director)
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National Highways
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To: Kirklees Council FAO Victor Grayson

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

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.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.

The Local Planning Authority must also copy any consultation under the 2018 Direction to Planningyne@nationalhighways.co.uk.

Signature:	Date: 15 November 2024
Name: Paula Bedford	Position: Planning & Development
National Highways Calder view House Peel Avenue Wakefield WF2 7UA	

¹ 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.

My review of this planning application is now complete subject to the following conditions being attached to any grant of planning consent.

Recommended Conditions

1. Prior to the commencement of development (save for enabling works which for the purposes of this condition shall comprise site preparation, remediation works, provision of construction and temporary access roads, diversion and/or laying of strategic site-wide infrastructure, and works associated with archaeological surveys) of any phase or sub phase of the development hereby approved, confirmation of an intention to:
 - a) design and implement a traffic mitigation scheme for M62 J28 that is consistent with the principles illustrated for either phase 1 in drawing A13398-T-247 rev H, in the event that detailed design has not already been progressed by another party, or phase 2 in drawing A13398-T-245 rev H; or
 - b) proceed with the mitigation referred to in the s106 agreement to mitigate the forecast impacts of the proposed development relating to junction 28 of the M62 shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways and Leeds City Council). The confirmation shall include a timeframe for any necessary design work required in relation to the traffic mitigation scheme. No more than 300 dwellings and no more than 46,452sqm of employment floorspace (B1, B2 or B8 uses) shall be occupied until the traffic mitigation scheme has been fully completed and is operational or the Section 106 agreement obligation has been paid.

Reason: In the interests of highway safety and mitigating the impacts of the development, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of the traffic mitigation scheme are agreed at an appropriate stage of the development process.

2. Prior to the commencement of development (save for enabling works which for the purposes of this condition shall comprise site preparation, remediation

works, provision of construction and temporary access roads, diversion and/or laying of strategic site-wide infrastructure, and works associated with archaeological surveys) of any phase or sub phase of the development hereby approved, confirmation of an intention to:

- a) design and implement a traffic mitigation scheme for M1 J40 that is consistent with the principles illustrated in drawing A13398-T-153 rev F; or
- b) proceed with the mitigation referred to in the s106 agreement.

to mitigate the forecast impacts of the proposed development relating to junction 40 of the M1 shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways and Wakefield Council). The confirmation shall include a timeframe for any necessary design work required in relation to the traffic mitigation scheme. No more than 460 dwellings and no more than 46,452 sqm of employment floorspace (B1, B2, or B8 uses) shall be occupied until the traffic mitigation scheme has been fully completed and is operational or the Section 106 agreement obligation has been paid.

Reason: In the interests of highway safety and mitigating the impacts of the development, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of the traffic mitigation scheme are agreed at an appropriate stage of the development process.

3. Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the M1 & M62 motorway). The plan shall include as a minimum:

- Construction phasing.
- Construction routing plans.
- Permitted construction traffic arrival and departure times.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the M1 & M62 motorway in accordance with DfT Circular 01/2022

Advisory the CTMP should include as a minimum:

- Evidence of how construction traffic movements will be managed and monitored to reduce their impact on the SRN during peak hours, with the exception of continuous concrete pours or abnormal load deliveries.

- Evidence that the cumulative impact of construction has been considered alongside any other sites in the locality and evidence how that will be managed to reduce the impact on the SRN.
- That signing to the site will not be permitted on the SRN
- Open backed HGV's will be sheeted to reduce the potential for debris to fall on the highway network

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.