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Fraser Dann,
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Date: 03-Jun-2021
Our Ref: 2021/91901

Dear Sir/Madam

**Application for a non-material amendment following a grant of planning permission,
Town and Country Planning Act 1990**

**Non material amendment to Condition 20 of previous permission 2016/92298 for
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 B8) to enable the construction of Phase 2.
Former North Bierley Waste Water Treatment Works, Oakenshaw, BD12 7ET
Application Number: 2021/91901**

Thank you for your application dated 06-May-2021 for a non-material amendment to the
above scheme.

This application seeks a non-material amendment to the wording of Condition 20 within the
2016/92298 outline permission relating to the development of this site for employment use,
to enable the continuation of development on site with specific regard to permitting the
construction (but not occupation) of Phase 2.

The Phase 2 Reserved Matters consent relates to a single industrial unit to be occupied for
purposes within Use Classes B1c/B2/B8, as permitted by the outline planning permission
extending to 21,882m² of commercial floorspace (GFA) (approximately 19,984m² GIA).

This NMA would permit Phase 2 to be constructed but it would not allow any occupation of
the unit to occur without the measures established by Conditions 20 and 21 being met.

As revised, this NMA would therefore allow the applicant to construct 4240m² more
floorspace than originally permitted by Condition 20. Whilst it is considered that Condition
20 was largely imposed to mitigate operational traffic arising from the development,
consideration has been given to the impact of the NMA on construction traffic. In this
regard, the applicant has advised that the difference in construction traffic between

17,642m² and 21,882m² would be minimal because to construct a larger unit, the main increase in site construction activities would be:

- Increased size of the steel frame;
- Increase in wall and roof cladding for the additional area.

Whilst this might result in a modest increase of deliveries for these elements, proportionally and over the construction period, it is considered that this would be insignificant. Deliveries would still be arriving on site as and when they are needed, with little stock piling of materials. Consequently, deliveries would not unduly intensify over a specific period, and ultimately, they would also be managed via the construction management plan required for each phase by Condition 8 of the outline permission. Site set up and labour would remain the same with the same quantity of employees arriving in a morning and leaving in the afternoon.

In summary, this NMA would allow construction on site to extend to 21,882m² before the highways works on the Bradford Road approach to M62 Junction 26 Chain Bar are approved in writing with Kirklees Council in consultation with Highways England or the improvement scheme to remove M62 westbound to M606 northbound traffic from the M62 Junction 26 Chain Bar roundabout circulatory carriageway is implemented by Highways England.

Given the scale of the site overall and for the reasons set out above, it is considered that this amendment would be non-material.

The NMA to amend the wording of Condition 20 to that below is therefore considered acceptable.

Condition 20:

No more than 21,882m² of floorspace shall be constructed until either:

- a) the highways works on the Bradford Road approach to M62 Junction 26 Chain Bar, as shown in principle on AECOM drawing number 60221630 Rev 5, are approved in writing with Kirklees Council in consultation with Highways England; or
- b) The improvement scheme to remove M62 westbound to M606 northbound traffic from the M62 Junction 26 Chain Bar roundabout circulatory carriageway is implemented by Highways England.

Reason: In the interests of highway safety for all those using the surrounding highway infrastructure

The proposal is therefore considered to constitute an NMA and the wording of the relevant condition can be amended accordingly as set out above and recommended for approval.

It should be noted that this letter relates only to the non-material amendment sought and it is not a re-issue of the original planning permission. This decision sits alongside the

original outline planning permission. A copy of this letter and the amended plans will be retained on the public record of approved documents.

I would draw your attention to the need to deal with the Building Surveyor to ensure that the proposal, as amended, still complies with the Building Regulations.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully

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