

From: [Nick Hirst](#)
To: [DCAdmin](#)
Subject: FW: Interchange 26 - Application 2021/94060
Date: 27 May 2022 17:10:58

DC,

Can this whole email please exchange be uploaded as a public representation, with names / emails etc. redacted.

Nick

From:
Sent: 06 May 2022 18:51
To: Nick Hirst <Nick.Hirst@kirklees.gov.uk>

Subject: Re: Interchange 26 - Application 2021/94060

Hi Nick,

Many thanks for your prompt response.

Whilst every party acknowledges there are timescales and rules to follow, it is clear throughout the Interchange 26 application process that these have been ignored and the developer has 'jumped the gun' on a number of occasions. It took me 3 emails to Kirklees Planning, highlighting the indiscretions of the developers before they took the stop order action. The developers have continually pushed the boundaries of interpretation and I see no reason why they will stop now.

There is a growing band of 'newbies' within the Oakenshaw community (of which I am one, having only been here 5 years) that have taken it upon themselves to delve deeper than most into this development. Strangely enough, we have all come to the same conclusion that the community has been treated detrimentally by Kirklees and that the developers appear to have courted the Council well to get what they want every time. The submissions made by Kirklees Planning to the Planning Committee and the latter's performance during the Outline and Reserved Matters Meetings make the Handforth Council saga with Jackie Weaver look like amateur dramatics!

We cannot agree with your National Planning System interpretation that it allows for flexibility on such a scale. Yes, developments that require minor amendments to buildings and plans, such as those submitted for Interchange 26 because of gas

pipelines or overhead power lines should be admissible due to health and safety. However, Applications such as this are not minor and have no justification other than profit or greed. If the developer has mis-judged their project, then it is not for Kirklees Planning to bail them out, to the detriment of the Oakenshaw community.

I can only reiterate that the lawfulness of this Application must be brought into question, given what was agreed and stipulated at Committee.

Finally, I can confirm that I would like my comments to be treated as a Public Representaion.

Thanks again for your assistance, enjoy your time away!

Regards

From: Nick Hirst <Nick.Hirst@kirklees.gov.uk>

Sent: 06 May 2022 15:29

To:

Subject: RE: Interchange 26 - Application 2021/94060

Dear

Thank you for your email. Apologies that I was unable to come back to your previous email.

The S73 / Variation application (ref. 2021/94060), reserved matters (ref. 2021/94061) and outline application (ref.2021/94208) are still pending a decision and are under assessment, with no decisions made at this time. The final decisions on the S73 and Outline will be made by the

Strategic Planning Committee, where officers will make a recommendation for the members consideration. There is not currently a date set for the committee.

The national planning system allows flexible options to seek to amend planning application, as it is acknowledged that new issues or matters may be identified during the development process. We cannot dismiss applications due to past decisions and must assess all applications in an objective manner, which is where we are currently at in the process. Currently officers have expressed concerns over the impact of the proposal(s), principally relating to traffic generation and impacts upon the local network. The applicant's recently uploaded documents are seek to refute / address the concerns. Their latest documents are in the process of being reviewed by K.C. Highways and National Highways.

In terms of works around the Phase 3 area, site clearance does not require planning permission. If they do commence development works (i.e. foundations) prior to any planning decision being made, I'd ask you to notify myself and Planning.Enforcement@kirklees.gov.uk as soon as practical for investigation.

Can you please confirm whether you'd like your below emails to be treated as a public representation. If so they will be uploaded to the webpage (redacted of private information) and then be formally on the planning file. As part of the file they will be considered and responded to within any committee report.

Please be aware that I am on leave between the 9th and 20th of May. If responding on the above point about your email being a public representation can you please CC in DC.Admin@kirklees.gov.uk for them to action this in my absence.

Yours sincerely,

Nick Hirst MRTPI,
Senior Planning Officer

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From:

Sent: 06 May 2022 11:52

To: Nick Hirst <Nick.Hirst@kirklees.gov.uk>

Subject: Interchange 26 - Application 2021/94060

Good Morning Nick,

The E-mail below, which has yet to receive a response, raised concerns over the validity of this Planning Application and the presumptuous actions of the developer. It also requested that my concerns be brought to the attention of the Planning Committee. The reason for the latter is that historically, the developer has received favourable support from Kirklees Planning, with negative press only being afforded a place in the 'Comments' section of the Planning Application... never to be downloaded and read by the Planning Committee.

Poor planning on the part of the developers has resulted in numerous change requests and violations of the Planning Conditions. Kirklees Council has been somewhat conspicuous by its absence in monitoring this development from the beginning, with the policing of progress being left to the Oakenshaw community. It has bent over backwards to assist the developers every time they have come cap-in-hand, and apart from one 'Stop Order' being placed upon the site for repeatedly violating the Conditions, departments across the Council have succumbed to the developer's mind games.

What is whinging about this time you will be asking yourself? My concerns in the E-mail from 3 weeks ago, now appear to have come to fruition. I refer to the 2 recent documents (see attached for ease of reference) added to the Planning website under 'Supporting Information' of this Application. The first document was a letter from Andrew Moseley Associates (AMA, representing the interests of the developers) and the second, a letter from Knight Frank (representing the interests of the developers), which was appended to the first.

It is clear from the AMA letter that the developers are not happy with their lot, when being told what they can and cannot do. They should be reminded that they, like the Oakenshaw community, must abide by the decisions made at the Outline and Reserved Matters and by the Authorities. Not only is the AMA letter questioning the democracy of the planning process, but the Knight Frank letter would suggest that this Planning Application, to exceed the maximum permitted floorspace of 35,284 sqm is a done deal... *"On the basis that our client has exchanged sale contracts to deliver a 105,000 sq ft industrial grade unit... it's clearly evident what is going to be delivered"*. Yes, it is *"subject to reserved matters"*, but why have these documents been submitted other than to hurry along another pro-development decision by Kirklees?

But oh, how the irony of these letters sums up the attitude and profiteering of the developers:

1. That they are trying to justify an increase in GFA solely upon the fact that traffic numbers will not be increasing... no mention of the detrimental visual and environmental impact.
2. On one hand, they are trying to utilise TRICS assessment data to support

an increase in GFA, yet on the other hand, they want to ignore the fact that this data does not correlate to the Parcel Distribution Centre that this Phase will relate (subject to Reserved Matters). The local road system cannot accept this additional volume, and Kirklees HDM has rightly identified this, hence the condition being imposed. How AMA can state that "The proposals result in reduced impact upon the Local Highway Network" given that this will be the largest Last Mile Delivery unit in the Leeds and surrounding areas, is anyone's guess!

3. They maintain that the decision to restrict B8 use is "*unreasonable*", "*onerous*" and "*unjustified*", whilst at the same time, they criticise the ongoing Phases 2 and 4 sustainability and impact. Have they forgotten that they sold them off! But what do they care, they have already made their money! This Application is all about maximising profit for Phase 3!

4. They state that they "could deliver a total of 35,284 sqm of B8 Parcel and Distribution use on site under the extant consent"... on what grounds? I would like to remind everyone that in accordance with the original Planning Application submitted to Committee... *"The principal aim of this development is to provide new accommodation for the north Kirklees/South Bradford manufacturing arc, a collection of complementary engineering, manufacturing and design businesses with a strong reputation for delivering gears, valves, pumps, turbos, chemicals and textile products."* At what point would the Planning Committee have approved the whole site to become a Parcel and Distribution Centre, given the access constraints?

5. Finally, and probably the most effective shot in their own feet, is that the letters recognise the GFA limit of 35,284 sqm (the original Brownfield area)! Other than greater profit, what makes them think they can request more! Would the Planning Committee have agreed to a greater density of use, unlikely!

As with the Email below, I would like to request that this perspective is presented to the Planning Committee. I understand that the comment period has closed for this Planning Application, but if letters of this nature are allowed to be presented to try and favour a decision, then there must be an opportunity to challenge the content?

As always, we, the Oakenshaw community are the ones who are left to pick up the pieces of decisions made far away, by a Planning Committee that has no perspective on how their decisions affect the local population. If this Planning Application is approved, it makes a total mockery of the democratic (?) planning process and will stink even more of collusion and bias in favour of the developer. The developers must be told to work with what they have, like it or lump it!

I thank you again for your time and look forward to a speedy response, as my cynical mind suggests that the building of the Phase 3 structure will commence before any approval is granted.

Regards