



National Highways Planning Response (NHPR 22-12) Formal Recommendation to an Application for Planning Permission

From: Simon Boyle (Regional Director)
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To: Kirklees Council FAO Nick Hirst
DCadmin@kirklees.gov.uk

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

Council's Reference: 2021/94208(Amend)

Location: Former North Bierley Wastewater Treatment Works Cliff Hollins Lane
Oakenshaw, BD12 7ET

Proposal: Outline application for re-development of former waste water treatment works, including demolition of existing structures to provide employment uses (Use Classes E(g)(ii); E(g)(iii); B2 and B8)

National Highways Ref: 97616

Referring to the consultation on a planning application dated 13 February 2023 referenced above, in the vicinity of the M62/M606 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: 14 February 2023
Name: Paula Bedford	Position: Assistant Spatial Planning Manager
National Highways Calder View House Peel Avenue Wakefield WF4 3GH	

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 the information submitted in support of this application has concluded that whilst the traffic allied to the development proposals has an impact at M62 Junction 26 in terms of practical reserve capacity (PRC) and delay, this is not considered to result in a severe impact in terms of queuing on the slip roads and causing delay on the circulatory.

In addition, in response to queries raised by Kirklees Council regarding the specific type of development that could come forward on this site, the applicant undertook further sensitivity testing in September 2022. This assessed the traffic impact should 50% (6,000sqm) of the site come forward as parcel distribution, 50% being the maximum that could feasibly be delivered on site or would meet market requirements.

Our review of this additional work concluded that this would not materially alter our position with regards to the capacity, operation and safety of the SRN.

However, it is considered that should the proposals alter substantially beyond that assessed we would expect to be re-consulted or, alternatively the Council may consider a condition to limit the % of floor space that could come forward as parcel distribution.

As such, I recommend that the following condition is attached to any grant of planning consent

Recommended Conditions

1. Prior to start of works on site a construction traffic management plan (CTMP) shall be submitted for approval by the local authority on consultation with National Highways. The CTMP shall ensure that the construction works are managed appropriately and give due regard to minimising the impact on the SRN and its junctions at peak hours. In particular:
 - HGV deliveries to and from site shall, wherever possible, be undertaken outside of peak hours with the exception of continuous concrete pours or abnormal load movements both of which should be agreed in advance with National Highways.
 - HGV holding/waiting areas should not be created at, or near to, SRN junctions.

Reason: To ensure the safe and continued operation of the SRN, namely M62 J26 at peak hours

This represents my recommendation in relation to planning application 2021/94208

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 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

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.