

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS -
REGULATION 3 TOWN AND COUNTRY PLANNING GENERAL
REGULATIONS 1992 (AS AMENDED)**

Reference No: **2022/48/92471/E**

Site Address: Heckmondwike Hub Bus Station, Royle Fold,
Heckmondwike, WF16 0HW

Description: Redevelopment of Heckmondwike Bus Station
including a new concourse building with waiting room,
Changing Places WC, driver offices, 6 No. bus stands,
landscaping, and associated works

Recommending Officer: Callum Harrison

DECISION – GR3-Granted Under Regulation 3

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

David Wordsworth

AUTHORISED OFFICER

Date: 05-Jul-2023

Officer Report

2022/92471 - Heckmondwike Hub Bus Station, Royle Fold, Heckmondwike, WF16 0HW

Site Description

The proposal relates to the existing Heckmondwike Bus Hub. The site covers approx. 3,500m² and includes Royle Fold and George Street. The site is a hardstanding area with four bus bays and shelters set upon the loop formed by Royle Fold and George Street. The centre of the site is mostly hard surfaced with some grassed areas. There are five existing trees set to the front (south) of the site. There are also four pedestrian crossings which connect the hub to the surrounding highway network. The site previously hosted shops, before they were demolished to form the bus hub.

The site falls within the allocated Heckmondwike Town Centre boundary and within the Primary Shopping Area as set within the Kirklees Local Plan. There is a listed building 35m away from the hub to the southeast, whereby there are a row of buildings in between. As well as serving the Bus Hub, Royle Fold is an adopted highway which serves a dentist and the rear of several retail units, including a Lidl supermarket. Green Park is found to the west of the site.

Description of Proposal

The enquiry is for the redevelopment of the Heckmondwike Bus Hub to provide a new concourse building with waiting room, Changing Places, WC, driver offices, six bus stands, landscaping, and associated works. Royle Fold bounds the outer parts of the site and creates a ring around the development. The six bus stands include one layover bay set to the east of the site. The building would be of an oval shape and set to the south of the site. The stands would be set to the north of the building. The buses would utilise the existing access and exits points loop around the site to access the stands where new pull in bays would be created. The proposal would also include landscaping, drainage and highway works ancillary to the development. Six cycling stands are also proposed.

Full details of the development can be seen on the submitted plans.

Relevant Planning History

2009/91883 - Outline application for erection of Library and Information Centre (LIC) and a four stand bus station together with associated external and highways works – approved but not constructed.

2014/93586 - Installation of 1 illuminated sign – approved

2021/21086 – Pre-application enquiry for the redevelopment of Heckmondwike Bus Hub.

History of Negotiations

There have been extensive negotiations and discussion with regard to the application. The officer has held 5 formal Teams meetings with the applicant and agent, as well as substantial email and telephone correspondence. Matters whereby amendments / additional information have been sought are mainly highways issues including visibility, landscaping, waste collection and management, loss of disabled parking provision, the design of the cycling provision, vehicle tracking and the management of the site. This application follows a formal pre-application enquiry which resolved other matters also.

Public Representations

The application was advertised by neighbour notification letters, a site notice and in the press. Final publicity expired on 13th October 2022. Four representations were received as part of the application, three of which are supporting comments with the other being an objection. These have been summarised as follows:

Supporting Comments:

- Good design;
- The increase in stands is positive;
- Ancillary facilities such as toilets are welcomed;
- Removal of parking spaces is not a loss as these are rarely, if ever, used;
- Improvement of yellow box markings is positive;
- Development would enhance the townscape;
- Landscaping is positive.

Public Concerns and Objections:

- Concerns if the landscaping will be maintained;
- Concerns the development would create a wind tunnel;
- Concerns if the layout is practical;
- The increase trips and number of buses would make existing safety issues worse;
- If buses are diesel, they will make pollution impacts worse;
- Doesn't achieve the Council's goals.

Consultations

Below is a summary of the consultation responses received:-

KC Conservation & Design – Support the proposal.

KC Ecology - No objection to the application, subject to a condition for the submission of a Biodiversity Enhancement and Management Plan (BEMP).

KC Lead Local Flood Authority – No objections and flow attenuation is not necessary due to the reduction in paved area.

KC Environmental Health – No objections subject to conditions relating to: a dust mitigation scheme; noise from fixed plant and equipment; contaminated land; and, the environment during construction.

KC Landscape – No objections subject to a landscape management plan.

KC Policy – No objections.

KC Crime Prevention – No objection subject to conditions relating to security.

KC Highways Development Management - No objections subject to conditions

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The site falls within the allocated Heckmondwike Town Centre boundary and within the Primary Shopping Area as allocated on the Kirklees Local Plan.

Kirklees Local Policy and Guidance:

Kirklees Local Plan

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP4 – Providing Infrastructure
- LP13 – Town Centre Uses
- LP19 – Strategic Infrastructure Network
- LP20 – Sustainable Transport
- LP21 – Highways and access
- LP24 – Design
- LP27 – Flood Risk
- LP28 – Drainage
- LP30 – Biodiversity and Geodiversity
- LP32 – Landscape
- LP35 – Historic Environment
- LP51 – Local Air Quality
- LP52 – Protection and improvement of environmental quality

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. They are now being considered in the assessment of planning applications, with full weight attached. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National

Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the following SPDs are applicable:

- Biodiversity Net Gain Technical Advice Note
- Highways Design Guide

National Policies and Guidance: National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications:

National Planning Policy (NPPF):

National Policies and Guidance: National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 8 – Promoting Healthy and Safe Communities

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

Assessment

1. Principle of Development

The enquiry site is the existing bus hub. This proposal will not change the use but enhance the existing use, thus, the principle of development can be considered acceptable in the town centre/primary shopping area allocation. Notwithstanding this, the proposed enhancement of public transport aligns with Local Plan Policies LP13, LP19 and LP20. The development would improve transport links within Heckmondwike and within neighbouring towns and cities, giving priority to public transport which supports the district's economy and climate emergency focuses. The principle of development also accords with Chapters 9 and 14 of the NPPF given the focus is on public

transport. Given the above, proposal is for public transport improvement, the proposed development can also be considered to be sustainable development as per Local Plan policy LP2. Therefore, the principle of development of the scheme is supported.

Officers note that the site falls within the allocated Heckmondwike Town Centre boundary and within the Primary Shopping Area as set by the Kirklees Local Plan. However, the application does not seek to vary the existing use but enhance it, thus, these policies are not directly applicable. Nevertheless, the provision of a bus station is acceptable within the Town Centre as per Local Plan Policy LP16.

2. Impact on Visual Amenity

Local Plan policy LP24 states that 'Proposals should promote good design by ensuring: a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.' Chapter 12 of the NPPF echoes this on a broader level.

In respect to heritage, Local Plan Policy LP35 and Chapter 15 are also relevant. To the east of the site is a 19th century, three-storey Grade II listed former bank which is constructed in stone with fine detailing on the façade. The bus station can be seen in context with this building, although the setting has been eroded somewhat by the poor-quality 20th century flat roofed buildings between the two sites and as such the proposed development would not materially impact on the listed building. To the west is Green Park, an area of historic open space in which stands the Heckmondwike War Memorial, a non-designated heritage asset located towards the east end of the park near the bus station. The memorial is set 35m away from the redevelopment site, centrally within the park which is bound by trees. As such, the memorial cannot be seen in the same context as the bus hub. Nevertheless, the proposed development to enhance and improve the site would positively impact on the street scene thus indirectly improving the setting of the memorial also. Notwithstanding the above, the development also has a clear public benefit by providing improved public transport facilities. As such, in accordance with the consultation response provided by KC Conservation & Design, the proposal is considered acceptable with regard to heritage in the context of visual amenity.

The existing bus station is on an island of open space located between George Street and Royle Fold and situated in a prominent location in Heckmondwike town centre. Landscaping consists of several lightweight structures (bus shelters and a cycle shelter), with paving and grassed areas. The buildings surrounding the site vary in age and type, with the typical buildings two-storeys high and ranging from 19th century and modern stone terraces, 20th century flat roofed buildings and a large modern food store. The site is poorly landscaped and has several blank walls and gables surrounding it, thus, it has very little character and would not represent a high quality place at present.

The proposal is for a new contemporary concourse building towards the southern end of the site, constructed with glazed curtain walling and stone cladding. The surrounding landscaping includes sawn natural stone paving and soft landscaping. The existing traditional style lighting columns are retained along the southern boundary to provide continuity along the street. Although modern in style and different in style to the surviving vernacular buildings within the town centre, the proposed building is of a high-quality design with the use of natural stone that reflects the local character and substantially improved landscaping. The contemporary design would offer such much needed high quality architecture to the site itself and wider town centre. As to ensure the development is high quality upon delivery, samples of all materials shall be conditioned.

The landscaping scheme submitted is generally good. The landscaped space is safe, strategically located within the site and well integrated into area. Greenery can be found throughout the site as can replacement trees. The green roof to the bin store and bus hub building are also good additions visually. The landscaping would effectively combine wildflower meadow, native shrubbery, ornamental planting, neutral grassland and green walls to drastically improve the existing concrete island. The site plan indicates a suitable, but not inordinate amount of guard railing is proposed. Design details of the proposed guard railings have not however been submitted as such these will be conditioned. Conditions are also required for finer details of the planting and landscape scheme along with conditions for the future management and maintenance of the soft landscaping.

Given the above, the proposed development, subject to said conditions, be considered acceptable with regard to visual amenity in accordance with Kirklees Local Plan Policy LP24 and Chapter 12 of the NPPF.

3. Impact on the Amenity or Dwellings and Existing Neighbouring Uses

Local Plan policy LP24 states that proposal should ensure a good standard of amenity for neighbouring and future occupiers. Chapter 12 of the NPPF echoes this.

An Environmental Noise Assessment has been submitted as part of this application. This assessment set out the baseline daytime and night-time noise levels representative of the nearest noise sensitive receptors. The report states that drawing on the information available, a correction to the predicted specific noise levels due to tonality and/or intermittent activities is not considered warranted at this stage, however once the final plant has been selected it is recommended that this be reviewed and, where necessary, a correction applied, and this is accepted. However, based upon the calculated daytime and night-time levels as shown, KC Environmental Health deem this full review may not be necessary and as such, a conditions will be applied for the fixed plant not to exceed the background sound level.

The report proceeds to look at the level of noise from bus movements associated with the proposed scheme stating it is understood there would be

up to 52 bus movements per hour during the day and up to 49 bus movements per hour during the night-time. The results of the modelling for the daytime are shown in table 5.5 showing a -2dB sound level to the NSRs on George Street and 0db to the NSRs on Westgate and whilst the noise levels will exceed the internal requirements of BS8233, the existing noise levels are already exceeded and this is applicable to external amenity areas too. The predicted levels should therefore show no discernible increase and therefore no harm to the amenity of neighbouring development. However a condition is required for the submission of a Construction Environment Management Plan to demonstrate how construction site noise, dust and lighting can be controlled so as not to impact the amenity of nearby sensitive receptors during the development.

The proposed building itself, by virtue of its separation from all other development, would not impact on the amenity of any other development with regard to overbearingness, overshadowing or loss of privacy. Vehicle tracking, a matter which will be discussed further in section 4 of the assessment, shows the amenity of the surrounding uses on Royle Fold would not be impeded upon either, as their existing access and lawful uses remain unaffected.

Given the above, the scheme is considered to accord with Local Plan policy LP24 and Chapter 12 of the NPPF as the proposal would ensure a good standard of amenity for neighbouring and future occupiers.

4. Impact on Highways Safety

Policy LP21 requires proposals to demonstrate sustainable modes of transport and be accessed effectively and safely by all users. New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe. Furthermore, proposals are required to demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network.

NPPF (Chapter 9) Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112 further details priority use of new roads, addressing the needs of people with disabilities, creating safe and secure places, allowing for efficient delivery of good and emergency service access, and enabling the use of electric vehicles.

Bus Station Operation:

The existing bus station includes 4 DIDO bus stands, which have a theoretical capacity of between 32 (Desirable use) and 48 (Maximum use) buses per hour, with the 2019 survey data suggesting that they are currently used by up to 28 buses per hour, as confirmed in the supporting Transport Assessment.

The proposed bus station includes 5 No. DIRO bus stands and 1 No. DIDO bus stand, which have a theoretical capacity of between 38 (Desirable use) and 52 (Maximum use) buses per hour. Therefore, the theoretical capacity of the bus station would increase by between 6 (Desirable use) and 4 (Maximum use) buses per hour. The increased bus station capacity would also allow for up to 24 additional buses per hour compared to the 2019 survey data (e.g. up to 52 buses per hour compared to the maximum of 28 buses recorded).

The supporting Transport Assessment (TA) includes a detailed assessment of the impact of additional buses on the operation of the local highway network, including detailed traffic modelling of the junctions within the vicinity of the site, including the adjacent traffic signals. This assessment concludes that 'the proposed development will not have a severe impact on the operational performance or impact on road safety of the highway network.' HDM broadly agrees with the Transport Assessment conclusions in terms of operational performance, given the modest increase in bus capacity that is proposed (a maximum theoretical increase of 6 buses per hour). However, it is noted that the priority right turn movement into the Royle Fold has not been included within the traffic capacity modelling.

In practice, it is likely that the maximum number of right turners (52 buses per hour) could be accommodated at the junction in capacity terms, with buses turning within gaps and during inter-green periods (circa 41 signal cycles/inter-green periods per hour). However, depending on the arrival time of buses, there is potential for the number of buses waiting to turn right exceeding the available right turn lane capacity (there is only space for 1 bus to wait in the right turn lane, which cannot be increased in length due to the presence of a pedestrian crossing island that must be retained for safety reasons). Therefore, this could result in the frequency of blocking of the Westgate ahead lane increasing, due to the additional right turning buses. That said, the impact of the additional buses is likely to be modest and would not cause a severe impact at the junction.

Following receipt of further information from the applicant, which has been sourced from the proposed bus station operator (Arriva), it has been confirmed that the proposed layover bay is to be used for circa 36 minutes per hour, Monday-Friday. However, it is envisaged that buses using the layover bay will be allocated to Stand 5, and so would not need to circulate the bus station site and would not generate additional traffic on the local network.

In light of the above, the impact of development traffic on the local network is acceptable, and no further assessments or changes to the adjacent signal operation are considered necessary. However, the box yellow markings within the vicinity of the Royle Fold junction should be renewed as part of the proposals, to reduce the risk of the right turning buses being blocked from turning right by queuing eastbound traffic, with these changes incorporated at the detailed design stage.

A planning condition should also be imposed that restricts the capacity of the bus station to the maximum theoretical capacity that has been assessed of up to 52 buses per hour.

A number of safety features are proposed to enable the proposed bus station to operate safely, including operational procedures that are aimed to allow the Drive-in-Reverse-Out (DIRO) bus stands to operate safely, including the provision of a reversing camera system. However, these physical measures will only be effective if other operational measures are implemented, including procedures relating to buses waiting whilst other buses are reversing, the use of the layover bay, and how waste collections will be managed etc. Therefore, an Operational Management Plan (OMP) should be secured by condition, which includes the proposed Operating Procedures, Management Arrangements and Monitoring measures. The OMP should also include a mechanism to review the procedures in conjunction with the Local Planning Authority, should any operational or safety problem subsequently occur.

Road Safety:

The supporting Transport Assessment includes an assessment of personal injury accident data on the local highway network. This assessment identifies that there have been a number of incidents (including 3 Fatal incidents) on the local network involving pedestrians being struck by passing traffic on Westgate. The Transport Assessment goes on to confirm that as a result of these fatal incidents, the Council have implemented a road safety scheme that introduced an enlarged pedestrian refuge island and guard railing on Westgate, immediately east of the right turn lane into Royle Fold, to encourage pedestrians to cross at the defined crossing points and not in other locations (potentially through queuing traffic, which contributed to a number of the recorded incidents).

In light of the above, it is clear that there is a need for pedestrian guard railing to be provided and maintained within the vicinity of the bus station to ensure that pedestrians are directed to the crossing points and discouraged/prevented from crossing in other unsuitable locations. As such, some amendments to the proposed guard railing have been shown on the latest plans, which includes pedestrian guard railing on the east side of Royle Fold, demonstrating that this could be provided (if deemed necessary) whilst still maintaining a min. 1.5m clear footway width. However, it is unclear whether guard railing is required in this specific location, and may also be needed in other locations where it is not currently shown (e.g. on the south side of the bus station fronting Westgate where some guard railing has recently been introduced, and along the Northgate frontage). Therefore, the guard railing arrangements should be determined at the detailed design stage, in conjunction with all other highway features, and then subject to the Stage 2 Road Safety Audit process.

A Stage 1 RSA has been provided, which included 3 no. problems. The Councils Road Safety Team have confirmed that the first two of these problems have been closed out (for preliminary design purposes). However, Problem 3 that related to the location and access arrangements for the proposed cycle parking spaces, has not yet been fully addressed. However, an RSA Exception Report has now been signed off by the Councils Highway Operational Manager, confirming that the location of the cycle parking on the east side of the bus hub building can remain, with measures to enable safe access/egress to be incorporated at the detailed design stage, and subject to the Stage 2 Road Safety Audit process. As identified by the Councils Road Safety Team at the pre-application stage, no drop-off / waiting facilities have been proposed within the vicinity of the bus station (for the public or taxis), which could result in ad-hoc stopping/waiting within its vicinity. Whilst loading bans do exist on Royle Fold / George Street to discourage vehicles from waiting, these would not prevent drivers from stopping and passengers alighting, which would result in blocking of the circulation route around the bus station. Therefore, No Stopping TROs should be introduced as part of the proposals.

Highway Boundary Changes

The proposals will result in areas of existing highway needing to be stopped up, and new areas of highway to be created. As such, the applicant has provided a plan (Highway Stopping Up Plan - TCF-WSP-KIR-HECK-DR-CH-0101-P02) that shows their understanding of the changes required. However, the plan as currently presented does not clearly show a suitable new highway boundary. Therefore, the extent of highway to be stopped up and new highway to be created will need to be agreed in due course. This should be agreed once the detailed design has progressed, and the Stage 2 RSA has been completed and closed out.

It is noted that no works that effect the highway can progress until the formal stopping order (S247 of TCPA 1990) has been made. Therefore, the changes to the highway boundary will need to be agreed as soon as possible, otherwise this may cause significant delays to be development program. Swept Path Analysis (SPA) and Servicing Revised SPA has now been provided for all bus stands, the layover bay, the amended refuse collection area, and for service vehicles using existing private accesses on Royle Fold/George Street. This SPA confirms that all bays can now be accessed in forward gear for all inbound and outbound movements, and that access to private property is not adversely affected by the proposals. Therefore, subject to the development operating in accordance with the Operational Management Plan (to be agreed), the arrangements are now acceptable.

Accessibility

The proposals include a number of design elements that are proposed to improve pedestrian accessibility and safety within the vicinity of the bus station, including widened/improved footways, crossing points, tactile paving

and pedestrian guard railing (as well as other features to discourage crossing in inappropriate location), which appear to be generally acceptable in principle.

However, there appears to be a number of design elements that do not fully comply with DfT documents 'Inclusive mobility' and 'Guidance and use of tactile paving'. This includes tactile paving at crossings not being in full accordance with standards (e.g. stems at controlled crossings do not extend to the back of the highway or for the minimum prescribed length) and the lack of hazard warning paving at steps. Guidance paving may also need to be provided to help pedestrians travelling along the new footways to the south of the bus interchange, as the windy pedestrian route is likely to be difficult to navigate by visually impaired users (I note some drawings appear to suggest guidance paving may be proposed, but this is unclear and appears to lead directly into the interchange steps and not to all of the pedestrian crossings).

In light of the above, the design of these features should be reviewed at the detailed design stage, and then subject to the Stage 2 Road Safety Audit process.

The proposal also includes the removal of 2 no. disabled/accessible parking bays (as well as 2 no. short stay parking bays). However, confirmation has been provided that these disabled/accessible parking bays will be relocated to the nearby Albion Street car park, which should be secured by planning condition.

The proposals include replacement cycle parking in the form of covered cycle stands located next to the bus station building, which will reduce the capacity from the existing 10 spaces to 8 spaces. Whilst the level of provision is considered to be adequate, as previously stated, the final access/egress arrangements are to be determined at the detailed design stage and subject to the Stage 2 Road Safety Audit process.

Construction Management

Whilst an Outline Construction Environmental Management Plan has been submitted with the proposals, minimal information is provided regarding transport related matters. In particular, no details of temporary bus stop locations are provided or details of safe pedestrian routes that need to be maintained within the vicinity of the site. However, it has been agreed with the applicant that this information can be secured by condition.

Impact on Highways Safety Conclusion

Following the changes that have been made to the proposals and the submission of additional supporting information, HDM offer no objection to the proposals, subject to the forementioned planning conditions.

5. Other Matters

Climate Emergency

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposed development seeks to improve an existing facility, therefore carbon budget relation options are limited. There is no material benefit of providing electric charging points for buses at this hub as it is not a regional station whereby buses stay in bays for any notable period of time. There is also no designation car parking for the site. Nevertheless, the development helps improve the climate emergency by its sheer principle of improvement public transport provision. The proposed soft landscaping and planting also helps improve the climate impact of the development. Finally, the Air Quality Assessment submitted refers to a Full Business Case funding bid by the West Yorkshire Combined Authority (WYCA) for the Zero Emission Bus Regional Area (ZEBRA) programme to government. This is to enable the introduction of 111 zero-emission buses throughout the region, of which some are anticipated to serve this site. As such, the development can be considered to be acceptable with regard to carbon budget. Furthermore, there are also carbon budget related controls in terms of Building Regulations, which will need to be adhered to as part of the construction process and which will require compliance with national standards.

Air Quality

Local Plan Policy LP51 states 'Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would have an unacceptable impact on the natural and built environment or to people.' It goes on further to outline that 'Proposals that have the potential to increase local air pollution either individually or cumulatively must be accompanied by evidence to show that the impact of the development has been assessed in accordance with the relevant guidance. Development which has the potential to cause levels of local air pollution to increase must incorporate sustainable mitigation measures that reduce the level of this impact. If sustainable measures cannot be introduced the development will not be permitted.' Chapter 15 of the NPPF supports this.

The application is for the redevelopment of the existing bus station to increase the number of bus stands from 4 to 6 thereby increasing the capacity from a maximum of 48 to 52 buses per hour. The application site is located approximately 0.6km from Kirklees Councils Air Quality Management Area

(AQMA) 7 which is located at a crossroads between the A632 and the A62 and was declared due to exceedances of the annual mean air quality objective for nitrogen dioxide. An Air Quality Assessment has been submitted in support of the application. The report details the impact that the development will have on existing air quality during the construction and operational phases.

With regard to the air quality during the construction phase, the proposed development is itself a Type 3 Mitigation in accordance with the WYLES technical planning guidance whereby the calculated damage costs would effectively be wholly offset by the investment required to support the implementation of the proposed development. The report also concluded that the effects of dust generated by construction activities was negligible, nevertheless, this conclusion is reliant on the use of good site practice and suitable mitigation control measures. As such a condition is required to ensure the Mitigation Scheme titled Mitigation and Residual Effects within the Air Quality Assessment is implemented.

In respect of air quality during the operational phase, the report concludes that the concentrations of the specific air pollutants are all predicted to be below the national air quality objectives at all sensitive receptor locations. In accordance with WYLES a damage cost calculation was undertaken, based on the maximum trip generation. The development provides a five-year exposure central present value of £204,195. The report goes on to say that the WYLES technical planning guidance promotes the use of public transport and infrastructure such as “improved pedestrian links to public transport stops” and “provision of new bus stops infrastructure” amongst its Type 3 Mitigation which are inherent to the proposed development at operational phase also. Therefore, given that the proposed development is itself a Type 3 Mitigation in accordance with the WYLES technical planning guidance the calculated damage costs would effectively be wholly offset by the investment required to support the implementation of the proposed development. Therefore, in accordance with advice given by KC Environmental Health also, officers deem the development to accord with Kirklees Local Plan Policy LP51 and Chapter 15 of the NPPF with regard to air quality.

Contaminated Land

The development involves ground works and due to its current use as a bus station, along with its proximity to a former works, as such there is the potential for ground contamination. Therefore, it will be necessary for conditions relating to contaminated land in accordance with Local Plan Policy LP53 and Chapter 15 of the NPPF with regard to contaminated land.

Biodiversity

Both the Kirklees Local Plan and the NPPF state that development should minimise impacts on biodiversity and providing net gains on redevelopment sites. A key objective of the Local Plan is to protect and enhance the integrity of the natural environment in Kirklees and the locally distinctive qualities

which contribute to its character, including the district's varied landscapes and natural assets.

In this case, the agent has submitted a Biodiversity Net Gain Assessment. The existing site is an entirely hard surfaced island with a sparse covering of trees, the habitat value of the land is very low, and therefore the biodiversity impact is limited. The proposed development would result in a decrease of hard paving by 27% which is to be replaced by soft landscaping. The scheme also benefits from a green roof. As such, it is abundantly clear that the site would achieve a biodiversity net gain. Nevertheless, this still must be achieved on site. As such a condition will be imposed for Biodiversity Enhancement and Management Plan (BEMP) to be submitted. The BEMP shall accord with the enhancement measures details within the Biodiversity Net Gain Assessment in order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Drainage / Flood Risk

The application site is set in flood zone 1, as such, flood risk measures are not required. The proposal seeks to use Sustainable Drainage Systems (SuDS) to provide drainage, which is both an improvement to the existing provision at the site and is in accordance with Local Plan Policy LP28. Further, the scheme will see a reduction in hard surfacing by 27% and proposes rain gardens, there is no need for a 30% reduction in discharge and the site is considered to meet the authority's brownfield drainage policy in principle.

However, the drainage works detailed are vague. As such, whilst they are acceptable in principle, further details shall be sought via pre-commencement conditions in alignment with KC LLFA's comments. It shall be conditioned for details relating to the following be submitted: where all existing land drains to and which systems the surface water communicates with; a drainage plan which factors in the proposed landscaped areas should be clearly shown, as should hardstanding that simply has water run off the landscaped areas; and an adequately explained, detailed information pack containing all details of the SuDS and how it will contribute to meeting Local Plan Policy LP28. Subject to these conditions, the scheme is considered acceptable with regard to drainage.

Crime Prevention – Safe Places

Chapters 8, 9 11 and 12 of the NPPF all contain policy which ensures places are design for safe use for all end users. Local Plan Policy LP24 supports this Policy LP24 and states that proposal must ensure that “the risk of crime is minimised by enhanced security, and the promotion of well – defined routes, overlooked streets and places, high levels of activity and well –designed security features”.

The proposed scheme is well designed and in principle provides safe use for end users. The site is well overlooked with no enclosed parts, there is a CCTV network proposed within the building and street lighting would ensure it is well lit. However, as to ensure the end user safety in practice, a number of conditions are required to ensure the security features are effective.

Firstly, where any new street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parks must comply with BS5489-1:2020 standard. Secondly, it is important that the doorset aperture be protected. Due to the nature of the building's use and location, there is a need that the security will be required to meet the following minimum standards when the building is unoccupied:

- The new PAS 24:2022 standard; or PAS 24:2016 until September 2024
- LPS 1175: Issue 8.1:2020 Security Rating B10 or above
- STS 201 or STS 202: Issue 10:2021, BR2 Additional security may be gained by utilising additional protection such as a certified roller shutter or grille. It is expected that all doorset products are fit for purpose and therefore certification to the following material specific standards are also required:
 - BS 6510:2010 (Steel)
 - BS 7412:2007 (PVCu)
 - BS 644:2012 (Timber)
 - BS 8529:2017 (Composite)
 - BS 4873:2016 (Aluminium)

With regard to glazing, all ground floor and easily accessible glazing must incorporate one pane of laminated glass to a minimum thickness of 6.4mm or glass successfully tested to BS EN 356:2000 Glass in building. This is necessary as resistance to attack. Also to protect from attack, the inner pane of glass to be used on the bus station will be conditioned to be laminate and will meet standard BS EN 356 2000.

Subject to the conditions as referenced above being imposed, the scheme is considered to accord with Local Plan Policy LP24 and Chapter 8, 9, 11 and 12 of the NPPF with regarding to security.

6. Representations

Four representations were received as part of the application, three of which are supporting comments with the other being an objection. These have been summarised as follows:

Supporting Comments:

- Good design;
- The increase in stands is positive;
- Ancillary facilities such as toilets are welcomed;
- Removal of parking spaces is not a loss as these are rarely, if ever, used;
- Improvement of yellow box markings is positive;
Development would enhance the townscape;
- Landscaping is positive.

Officer Response: All of the positive comments above have been noted and considered.

Public Concerns and Objections:

- Concerns if the landscaping will be maintained;

Officer Response: Conditions will secure future maintenance of the landscape.

- Concerns the development would create a wind tunnel;

Officer Response: Noted, however not a proven matter nor outweighs the positives of the scheme.

- Concerns if the layout is practical;

Officer Response: Noted, however the applicant has demonstrated that the site can be use sufficiently through vehicle tracking.

- The increase trips and number of buses would make existing safety issues worse;

Officer Response: Noted, however the applicant has demonstrated that the site can be used safely within the surrounding highway network.

- If buses are diesel, they will make pollution impacts worse;

Officer Response: Air quality has been assessed in the appraisal above.

- Doesn't achieve the Council's goals.

Officer Response: Noted, the reasons of the applicant have been set out in the appraisal above.

7. Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF, taken as a whole, constitute the Government's view of what sustainable development means in practice.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. The development would improve transport links within Heckmondwike and within neighbouring towns and cities, giving priority to public transport which supports the district's economy and climate emergency focuses. Given this, the proposal clearly accords with the purposes of Chapters 9 and 14 of the NPPF and several local plan policies. It has also been demonstrated that subject to conditions, the scheme would: be able to operate safely within the highway network; improve the visual amenity of the townscape generally; and, not cause any material implications with regard to any other matters. It is therefore considered that the development would constitute sustainable development and is, therefore, recommended for approval.

Recommendation: **Approve**

Conditions and Reasons:

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.
Reason: As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted, including the phasing of development, shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt and to ensure the development is carried out to an appropriate quality standard of design and does not detrimentally affect the surrounding landscape, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.
3. Prior to the commencement of development, details of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed using the agreed external facing materials.
Reason: As to ensure the development is of a high quality finish and is carried out to an appropriate quality standard of design and does not detrimentally affect the surrounding landscape, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.
4. No development shall commence until a Biodiversity Enhancement and Management Plan (BEMP) to ensure that a biodiversity net gain is achieved post-development is submitted and agreed in writing by the Local Planning Authority. The BEMP shall accord with the enhancement measures details within the Biodiversity Net Gain Assessment dated July 2022. The BEMP shall include the following:
 - a. Description and evaluation of features to be managed and enhanced;
 - b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
 - c. Ecological trends and constraints on site that might influence management;
 - d. Aims and Objectives of management;
 - e. Appropriate management Actions for achieving Aims and Objectives;
 - f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
 - g. Details of the management body or organisation responsible for implementation of the BEMP;
 - h. Ongoing monitoring programme and remedial measures; and

i. The BEMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years.

The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved BEMP. The approved BEMP will be implemented in accordance with the approved details.

Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

5. Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls and building retaining walls adjacent to the proposed/ existing highway shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed.

development and thereafter retained during the life of the development.

Reason: In the interests of highway safety, and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan as well as Chapter 9 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that access to the site is designed and approved at an appropriate stage of the development process.

6. Before the development commences a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint or influence zone of highway loading shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

Reason: In the interests of highway safety, and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan as well as Chapter 9 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that access to the site is designed and approved at an appropriate stage of the development process.

7. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent

person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that the site is made safe with regard to contaminated land at an appropriate stage of the development process.

8. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 7. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that the site is made safe with regard to contaminated land at an appropriate stage of the development process.
9. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 8. Further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning. This pre-commencement condition is necessary to ensure that the site is made safe with regard to contaminated land at an appropriate stage of the development process.
10. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 9. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that the site is made safe with regard to contaminated land at an appropriate stage of the development process.

11. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that the site is made safe with regard to contaminated land at an appropriate stage of the development process.

12. Prior to the development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities.
- Artificial lighting used in connection with all construction related activities and security of the construction site. A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority must be included. The agreed plan shall be adhered to throughout the construction of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan. This pre-commencement condition is necessary to ensure that measures are put in place for the protection of neighbours during the construction phase.

13. There shall be no commencement of the development hereby permitted above slab level until full details of both hard and soft landscape works have first been submitted to and approved in writing by the Local Planning Authority. These works shall include:
- a) Materials to be used for all hard surfaced areas including linking paths to play area, vehicle and other circulation areas;

- b) Soft landscape works to include planting plans; plant schedules noting species (with a preference for native species), plant sizes and proposed numbers/densities where appropriate; and an implementation, management, and maintenance programme;
- c) Specifications of the green roof system to be installed, including substrate depth, watering details and confirmation that a sedum mat is not proposed.
- d) The approved landscaping scheme shall, from its completion, be maintained for a period of five years to ensure establishment. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, including existing vegetation and trees on the site, it shall be replaced with others of similar size and species, in the next planting season, unless the Local Planning Authority gives written consent to any variation.
- e) Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of 5 years, management objectives and the detailed landscape planting plan. This should also include any SuDS features, maintenance and management schedules and programme of maintenance operations.

All hard and soft landscape works shall be carried out in strict accordance with the approved details.

The works shall be carried out prior to the use of any part of the development or in accordance with the implementation programme first agreed with the Local Planning Authority.

Reason: To mitigate and adapt for climate change, enhance and conserve the visual amenity of the built environment as well as the natural environment, and implement Biodiversity Net Gain in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that a design is set out that secures a suitable landscaping scheme at an appropriate stage of the development process.

14. Notwithstanding the submitted information, prior to commencement of the development, detailed design information relating to all of the proposed works within the existing and proposed highway shall be submitted to and approved in writing by the Local Planning Authority, alongside a Stage 2 Road Safety Audit (RSA), Designers Response and a Final RSA Decision Log. The approved details must be fully implemented prior to the development becoming operational.

Reason: In the interests of highway safety in accordance with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that all highway works are designed and approved at an appropriate stage of the development process.

15. Prior to the commencement of development (including ground works), a Construction Management Plan (CMP) shall be submitted to and

approved in writing by the Local Planning Authority. The CMP shall include details of:

- Development program and phasing;
- Hours of works;
- Details of construction access arrangements;
- Construction vehicle sizes and routes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Lighting, signing and traffic management arrangements during construction works;
- Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;
- Temporary bus stop arrangements;
- Temporary changes to pedestrian routes and associated safety measures;
- Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities and street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction;
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- Site manager and liaison officer contacts, including details of their remit and responsibilities, and;
- Engagement with local residents, businesses and others stakeholders and/or their representatives.

The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity, to ensure the highway is not obstructed and in the interests of highway safety to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

16. There shall be no commencement of the development hereby permitted (except for demolition works) until a detailed design scheme detailing foul, surface water and land drainage, including agreed

discharge rates with the Lead Local Flood Authority indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure.

No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: In the interest of providing a satisfactory surface and foul water drainage strategy in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that details of drainage are agreed at an appropriate stage of the development process.

17. Prior to the development becoming operational, an Operational Management Plan (OMP) shall be submitted to and approved in writing by the Local Planning Authority, which includes measures that will ensure the safe and efficient operation of the bus station and adjacent highway, including Management, Operation, Monitoring and Review procedures. The approved OMP must then be implemented for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy LP21 of the Kirklees Local Plan.

18. The bus station usage shall be limited to a maximum of 52 buses per hour.

Reason: To ensure the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan.

19. Prior to the removal of the two disabled/accessible parking bays on Royle Fold, two replacement disabled/accessible parking shall be provided at the Albion Street car park, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that accessible parking facilities are maintained in accordance with Policy LP21 and LP22 of the Kirklees Local Plan.

20. Notwithstanding the submitted information, details relating to the following off-site highway measures shall be submitted to and approved in writing by the Local Planning Authority:

- Changes to traffic regulation orders, including associated signage and road marking alterations, to
- prevent vehicles stopping on Royle Fold and George Street;
- Improved yellow box markings at the Royle Fold / Westgate junction.
- The approved details must be fully implemented prior to the development becoming operational, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy LP21 of the Kirklees Local Plan.

21. Before any demolition and construction work commences, the mitigation measures to control fugitive dust emissions during the demolition and construction phase of the development shall be implemented in accordance with those detailed in Chapter 6 of the (pages 29 -31) of the Air Quality Assessment (ref: 001) (dated: July 2022) by WSP and retained for the duration of the demolition and construction period.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

22. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

23. All new street lighting for development hereby approved shall comply with BS5489-1:2020 standard or any superseding standards. Any replacement street lighting within the lifetime of the shall also accord with the relevant and current standard.

Reason: As to ensure the site is suitable lit in the interests of user safe, in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 8, 9 and 12 of the National Planning Policy Framework.

24. All glazing for the bus station hereby approved shall incorporate one pane of laminated glass to a minimum thickness of 6.4mm or glass successfully tested to BS EN 356:2000 Glass in building (or the relevant superseding standards). This is necessary as resistance to attack. Any replacement glass during the lifetime of the development shall meet the forementioned standards.

Reason: As to protect end users from attack via hostile vehicles or other methods, in accordance with Policy LP24 of the Kirklees Local

Plan and Chapters 8, 9 and 12 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice • Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

NOTE: Noisy construction related activities should not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours, Saturdays
- With no noisy activities on Sundays or Public Holidays Institute of Air Quality Management document "Guidance on the assessment of dust from demolition and construction" Version 1.1 2014 provides detailed information regarding dust control.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: It is brought to the Applicant's notice that the formal stopping up of areas of public highway is required BEFORE the development to which this consent relates can be implemented. The appropriate procedure to stop up a highway is by application to the Secretary of State under the powers vested in Section 247 of the Town and Country Planning Act 1990. The application should be made directly to the Secretary of State at: The National Transport Casework Team
Department for Transport
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR
nationalcasework@dft.gov.uk

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the

Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: All new storm water attenuation tanks/pipes/culverts with internal diameter/ spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements.

The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450- Inspection of Highway structures. Furthermore, all new precast pipes/ culverts/storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and must be accredited with a BBA (The British Board of Agreement Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate.

Plans and Specification Table:-

Plan Type	Reference	Version	Date Recieved
Location Plan	20233-SGP-HEK-XX-DR-A-010001	P02	22/07/2022
Existing Site Plan	20233-SGP-HEK-ZZ-DR-A-010002	P03	22/07/2022
Proposed Site Plan	20233-SGP-HEK-XX-DR-A-201001	P05	30/06/2023
Proposed GA Plan	20233-SGP-HEK-XX-DR-A-201101	P03	30/06/2023
Proposed GA Roof Plan	20233-SGP-HEK-ZZ-DR-A-201118	P03	30/06/2023
Existing Site Sections	20233-SGP-HEK-XX-DR-A-000201	P03	22/07/2022
Elevations Sheet 1 of 2	20233-SGP-HEK-ZZ-DR-A-201300	P09	30/06/2023
Elevations Sheet 2 of 2	20233-SGP-HEK-ZZ-DR-A-201301	P06	30/06/2023
Topographical Survey	20233-SGP-HEK-00-DR-A-020001	P02	30/06/2023

GA Pod Sections	20233-SGP-HEK-ZZ-DR-A-201201	P03	30/06/2023
GA Bus Stand Sections	20233-SGP-HEK-ZZ-DR-A-201202	P02	30/06/2023
General Arrangement	TCF-WSP-KIR-HECK-DR-CH-01_01	P08	30/06/2023
Landscape Design	TCF-WSP-KHBH-XXX-DR-LE-000001	P04	30/06/2023
Drainage Proposals	TCF-WSP-KIR-HECK-DR-CH-05_01	P03	30/06/2023
Existing Drainage Catchment Areas	TCF-WSP-KIR-HECK-DR-CH-05_02	P01	30/06/2023
Proposed Levels	TCF-WSP-KIR-HECK-DR-CH-0800	P01	30/06/2023
Electrical Services External Areas Enabling Works Street Lighting Column Relocation Layout	HBH-WSP-00-ZZ-DR-E-630001	P03	30/06/2023
Landscape Management Plan	TCF-WSP-KHBH-XXX-LMP-LE-000001	P02	26/07/2022
Biodiversity Net Gain Assessment	BNG-001	P01	26/07/2022
Design and Access Statement	HEK-SGP-ZZ-RP-A-021701	P03	26/07/2022
Appendix D Heckmondwike Bus Stop Small Sites Metric Calculation Tool	210722	1.1	22/07/2022
Planning Statement	70091329-001	1	22/07/2022
Arboricultural Impact Assessment Report	70091329-ARB-001	1	22/07/2022
Air Quality Assessment	001	1	26/07/2022
CDM Regulations 2015 Cleaning Access & Maintenance + Statement	20-233-03	P04	22/07/2022
Outline Construction Environmental Management Plan	70056810 CEMP	V1	22/07/2022

Kirklees Road Safety Audit Procedures	-	1	22/07/2022
Transport Assessment Appendices	A - F	1	22/07/2022
Transport Assessment	-	V2.0	22/07/2022
Environmental Noise Assessment	70091329_N01	1	22/07/2022
Historic Environment Desk-Based Assessment	70091329-012	1	22/07/2022
Electrical Services External Areas Lighting & Control Strategy Layout	HBH-WSP-00-ZZ-DR-E-630102	P11	30/06/2023
Electrical Services External/Internal Areas Security CCTV Strategy Layout	HBH-WSP-00-ZZ-DR-E-630101	P06	30/06/2023
Single Decker Bus Swept Path Analysis	TCF-WSP-KIR-HECK-DR-CH-01_02	P05	27/04/2023
Junction Intervisibility Zones and Forward Visibility	TCF-WSP-KIR-HECK-DR-CH-01_09	P06	27/04/2023
Swept Path Analysis Stand 6, Dentist & Layover	TCF-WSP-KIR-HECK-DR-CH-01_10	P08	27/04/2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. There have been extensive negotiations and discussion with regard to the application. The officers has held 5 formal teams meetings with the applicant and agent, as well as substantial email and telephone correspondence. Matters whereby amendments / additional information have been sought are mainly highways issues, landscaping, waste collection and management, loss of disabled parking provision, the design of the cycling provision, vehicle tracking and the management of the site. This application follows a formal pre-application enquiry which resolved other matter also.

