

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

Reference No:	<b>2023/62/92141/E</b>
Site Address:	Dewsbury Bus Station, Aldams Road, Dewsbury, WF12 8AR
Description:	Refurbishment and Improvement of Dewsbury Bus Station including hard and soft landscaping works
Recommending Officer:	RichardA Gilbert

**DECISION – Full Conditions- Granted**

**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: 14/12/23**

**Reference:** 2023/92141

**Location:** Dewsbury Bus Station, Aldams Road, Dewsbury, WF12 8AR

**Proposal:** Refurbishment and Improvement of Dewsbury Bus Station including hard and soft landscaping works

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**RECOMMENDATION:**

Approve planning permission subject to conditions.

**1.0 INTRODUCTION:**

- 1.1 WYCA, in partnership with Kirklees Council, intend to deliver a £13.9 million project to transform Dewsbury Bus Station. The plan includes an improved interior and exterior design, better accessibility for all bus station users and upgraded public entrances and exits.
- 1.2 The development proposal has been submitted under a full planning application and is decided under delegated powers in line with the scheme of delegation.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site comprises the existing Dewsbury Bus Station. The red line boundary for the site comprises an area of 10,534m<sup>2</sup>. The existing bus station building was completed in 1994 and generally comprises of curtain wall glazing for the concourse with a brick plinth externally and a tiled masonry plinth internally.
- 2.2 Externally, the existing bus station consists of the following vehicle provision: 15 Drive in Reverse Out (DIRO) bus stands, One shallow sawtooth bus stand, Two drop-off bus stands, Two separate external coach stands (disused), Four bus layover bays, One ambulance bay, One service bay for transit van sized service vehicles, 12 – 14 staff/contractor car parking spaces, A single Electric Vehicle (EV) parking space is provided for use by authorised maintenance/staff vehicles. There is access to the bus station for pedestrians and authorised vehicles from Aldams Road and South Street. No public car parking is provided on the site.
- 2.3 Internally, the existing bus station facility currently consists of a single level bus station building, which currently comprises a passenger concourse and mall, five retail units, and staff/public facilities. The retail units are currently vacant.

2.4 The surrounding area is predominantly characterised by retail uses. To the north of the site, beyond South Street, are retail units, restaurants and takeaways. To the south, beyond Aldams Road are large retail units, including Farmfoods, B&Q and Screwfix, as well as Dewsbury Minster (a Grade II\* listed building). The River Calder is also located to the south of the site, directly to the south of the large retail units. To the west of the site is the Dewsbury Police Station and to the east is a private car parking area and retail units which front South Street. Further to the east, beyond Church Street is the Princess of Wales shopping centre. The site is located within the boundary of Dewsbury Town Centre (TCB2) and approximately 80m from the Primary Shopping Area of Dewsbury Town Centre (PSA2) as designated in the Kirklees Local Plan which was adopted on 27th February 2019

### **3.0 PROPOSAL:**

3.1 The Scheme is a refurbishment of the existing Bus Station and the use of the site consequently remains unchanged as a Bus Station, with associated staff and passenger facilities and a small range of retail units (Class E) which are directly connected to the bus station building.

3.2 The bus station building is to undergo comprehensive refurbishment, utilising the existing structures where possible, however new retail units are to be constructed to overcome existing structural, thermal insulation and layout issues and the mall circulation area is to be provided with a new ETFE roof structure.

3.3 The proposed Bus Station Building has a gross external area of 2100sqm and a gross internal floor area of approximately 1957sqm, consisting of:

- 1375sqm Passenger Concourse and Mall;
- 306sqm occupied by 3 No. retail Units;
- 215sqm of staff / Public Facilities, comprising of:
  - Combined Bus Station Manager and Security Office
  - Staff Rest Room and Kitchenette
  - Accessible Staff Toilet and Shower
  - Cleaner's Store
  - Cleaning Machine Store
  - General Store / Staff Cycle Store
  - Plant Room
  - 4 No. roof access ladder / stair enclosures
  - ATM Room
  - Customer Information Desk
  - Male and Female Public Toilets
  - Accessible Public Toilet
  - Changing Places Toilet
  - Quiet Room
- The remaining 61sqm consisting of internal walls and structure

- 3.4 The site layout has undergone a series of changes to help improve vehicle circulation and increase the amount and quality of landscaping. This provides a significant gain in biodiversity and creates more sustainable surface water drainage.
- 3.5 The triangular public space which is located opposite Dewsbury Minster is to be completely refurbished, including removal of overgrown trees and bushes, provision of new paving and inclusion of new low maintenance landscaping which has been designed to remove concealment spaces and to improve personal safety. The existing bins to the retail units are to be accommodated within a new bin store enclosure which provides a neutral backdrop to the new soft landscaping and climbing plants. The package of design interventions significantly improves the visual appearance of the space and helps improve natural sight lines and personal safety. The existing retail units, which had been highlighted as end-of-life structures are to be replaced with new units. These new units do not project as far into the Aldams Road footpath as the existing units, removing restrictions in pedestrian circulation and making the bus station entrance more prominent.
- 3.6 The location and orientation of the bus station building remains unchanged from existing. This permits the re-use of the existing concourse building structure and provides significant sustainability benefits over demolishing the existing structure and erecting new. The building comprises of a long, single storey, portal framed, passenger concourse which runs from east to west in the centre of the site. At the eastern end of this concourse is a circulation mall which runs from north to south, linking South Street and Aldams Road and providing access to the passenger toilet facilities and new retail units.
- 3.7 Pedestrian entrances to the bus station are located at the North and South of the mall, off South Street and Aldams Road respectively. A further pedestrian entrance is located at the western end of the passenger concourse with access off Aldams Road. Given that Kirklees Council are currently developing walking and cycling and highway improvements for the surrounding area, it is not intended for the bus station project to make any changes to the offsite access routes or pedestrian crossings. The bus station design team has, however, liaised. New pedestrian crossings are provided across each of the vehicular site entrances and bus runways. Other than the crossing at the southeast exit these are not signalised crossings, however their location has been adjusted from existing to better respond to pedestrian desire lines.

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 The following planning applications are pertinent to matters determined under 2023/92141's red line boundary:

- **93/04124** – Erection of Bus Station Complex – Full Conditional Permission
- **2010/90385** - Siting of temporary portakabin building (3 years) and associated emergency vehicle parking bay for use as an emergency response standby station - Withdrawn
- **2010/91691** - Erection of temporary portable building with associated vehicle parking for use as an emergency stand-by response base station - Full Conditional Permission
- **2010/93440** – Change of Use of Unit 3 located at Dewsbury Bus Station from Class A1 to Class A3 - Full Conditional Permission
- **2011/92669** – Installation of 270 Photovoltaic Panels – Withdrawn

## **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

- 5.1 The submission of the initial design has not required substantial alterations other than those achievable through appropriately worded conditions.

## **6.0 PLANNING POLICY:**

- 6.1 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 27<sup>th</sup> February 2019).

### Kirklees Local Plan (2019):

- 6.2 Policy LP19 of the Kirklees Local Plan States that the ability to move goods and people is particularly important given the district's strategic position on the national motorway and rail networks, its links with regional facilities such as airports/ports and its central position between the Leeds, Sheffield and Manchester City regions. This gives the district a distinct locational advantage. Efficient access for goods and services is also a key factor in supporting the vitality of urban areas. The aim is to achieve a balanced and integrated transport network which makes the most efficient and effective use of road, rail and public transport.
- 6.3 The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region. Development will be strategically placed along core networks where available and the developing core cycle network, all of which will be improved and maintained where possible to reduce congestion and reliance on the private car; 2. Proposals will be encouraged where they assist to bring forward

strategic transport infrastructure where possible, particularly where they would directly benefit from these schemes;

6.4 National, regional and local transport schemes are identified on the Policies Map. KLP Strategy & Policies links Policy LP19 to TS5 - Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone - TS7 - Public Transport Improvement Schemes - under the KLP Allocations and Designations document.

6.5 Relevant Local Plan Strategic Policies are:

LP1 – Presumption in favour of sustainable development

LP2 – Place shaping

LP3 – Location of new development

LP4 – Providing infrastructure

LP13 – Town Centre Uses

LP16 – Food and Drink Uses and the Evening Economy

LP18 – Dewsbury Town Centre (TCB2 – Dewsbury Town Centre)

LP19 – Strategic Transport Infrastructure – TS5 – Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone & TS7 – Public Transport Improvement Schemes

LP20 – Sustainable Travel

LP21 – Highways and access

LP22 – Parking

LP23 – Core walking and cycling network

LP24 – Design

LP27 – Flood risk

LP28 – Drainage

LP30 – Biodiversity and Geodiversity

LP31 – Strategic Green Infrastructure Network

LP33 – Trees

LP35 – Historic Environment (Dewsbury

LP51 – Protection and improvement of local air quality

LP52 – Protection and improvement of environmental quality

LP53 – Contaminated and unstable land

#### Supplementary Planning Guidance / Documents:

6.6 Kirklees' SPDs and any other evidence base and guidance relevant to this application are set out below:

- Kirklees Biodiversity Net Gain Technical Advice Note (TAN) – June 2021;

- Kirklees Highway Design Guide – Supplementary Planning Document – November 2019;

#### National Planning Guidance:

6.7 The following national guidance documents are applicable to this development proposal:

- National Planning Policy Framework (NPPF) – Chapter 2 – Achieving Sustainable Development;
- NPPF – Chapter 4 – Decision-making;
- NPPF – Chapter 9 – Promoting Sustainable Transport;
- National Design Guide & National Design Code Parts 1 & 2;
- Planning Practice Guidance – Notably the following sections:
  - Transport evidence base in plan making and decision taking;
  - Travel Plans, Transport Assessments and Statements;
  - Tree Preservation Orders and Trees in Conservation Areas;
- Design Manual for Road and Bridges

Other Material Considerations

6.8 The following documents are also identified:

- Dewsbury Blueprint
- Dewsbury Heritage Action Zone
- Dewsbury Town Investment Plan

**7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application has been publicised in accordance with the Development Management Procedure Order 2015 (as amended).

7.2 No representations have been received.

7.3 Ward Members were consulted and were supportive of the proposal.

**8.0 CONSULTATION RESPONSES:**

**8.1 Statutory:**

*KC Highways Development Management*

No objections subject to recommended condition

*Lead Local Flood Authority*

No objections subject to recommended conditions

*The Environment Agency*

Confirmed that the land use is considered less vulnerable.

*Canal & River Trust*

No comments

*Yorkshire Water Services*

No objections subject to recommended conditions

*Historic England*

Confirm that the applicant has addressed advice provided by HE at the pre-application stage.

## 8.2 **Non-statutory:**

*British Transport Police*

*KC Conservation & Design*

Advice provided, revised plans provided by applicant to address matters raised by the consultee.

*KC Ecology*

No response

*KC Environmental Health*

No objections subject to conditions

*KC Landscape*

No objections subject to conditions

*KC Town Centres*

Advice provided in respect of control of land uses

*KC Trees*

Holding objection.

*KC Waste Strategy*

*Advisory comments provided.*

*WYP Crime Prevention*

No objection subject to condition

## 9.0 **MAIN ISSUES**

- Principle of development

- Transport Matters
- Urban Design, Heritage, Landscaping, Ecology and Arboricultural Matters
- Residential Amenity and Environmental Health Matters
- Drainage Matters
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

- 10.1 The development proposed is to accommodate more efficient commuting to and from Dewsbury. It would amongst other things support employment growth and better connect businesses and labour markets across Kirklees and further afield and would mitigate, facilitate and support growth in accordance with Adopted Local Plan policies LP19 (strategic transport infrastructure) and policy TS5 and TS7, thereby delivering infrastructure capacity needs arising from the Plan and provide a range of further benefits. In assessing the application against the Development Plan, for the purposes of section 38(6) of the Act, the question is whether the scheme is in conflict with the Development Plan as a whole. In this respect the scheme seeks to deliver strategic transport infrastructure identified in Development Plan policy LP19 and in turn Development Plan policy TS5 and TS7.
- 10.2 As concerns the impact of the three proposed Class E units (306sqm of floorspace), KC Planning Policy/Town Centres have advised that Part A of Policy LP13 states that the role and function of the Principal Town Centres in Kirklees (Huddersfield and Dewsbury) is to provide for the shopping needs (particularly for non-food goods) of residents across Kirklees and to be the main focus in Kirklees for the provision of financial and professional services; offices, entertainment; sport, leisure, arts, culture and tourism facilities; further and higher education; and health services. It is therefore considered that 3 small flexible tenant units coming under Use Classes E (a) to E (g) (i) (including but not limited to shops and cafes) would be an appropriate use within Dewsbury Town Centre. However, it should be noted the change of use to E (g) (ii) and E (g) (iii) uses could result in commercial uses that are not within the NPPF definition of main town centre uses (e.g. light industrial) and as such could undermine the vitality and viability of the town centre. It will therefore be necessary to have in place a restrictive condition that will prevent changes of use to Use Classes E (g) (ii) and E (g) (iii).
- 10.3 It has been noted that the proposed flexible tenant units of the scheme would make provision for 306sqm floorspace and with it being 80m away from the Primary Shopping Area of Dewsbury Town Centre, the bus station is considered to be an edge-of-centre location. Part C of

LP13 states that proposals within 800m of the boundary of a town centre and propose more than 300 sqm gross floorspace for retail, leisure and office development will need an impact assessment to be submitted with the application. In the case of this application, it is considered that the proposed units would primarily serve passengers using the bus station and would result in a smaller floorspace compared with the previous retail units, it is therefore considered that Dewsbury Town Centre will not be negatively impacted by the proposed development.

10.4 Policy LP16 states that proposals for food and drink will be supported provided they are located within a defined centre and subject to ensuring the concentration of food and drink uses are located in a particular centre or part of a centre where they would result in harm to the character, function, vitality and viability of the centre, either individually or cumulatively. In order to assess the potential harm, a series of criteria will be considered (a to g). Criterion A requires an assessment of the number, distribution and proximity of other food and drink uses including those with unimplemented planning permission in a particular centre. The occupancy of the two nearest shopping frontages (SSF33 - 30 Church Street to Dewsbury Bus Station and SSF34 – 28 Church Street to 28 South Street) has been considered. On SSF33, none of the retail units are in use for food and drink whilst on SSF34, there are two premises which are in use for food and drink. As there are few other food and drink uses in the vicinity of the bus station, the use of the flexible tenant units for food and drink uses would not result in any harm to Dewsbury Town Centre. Criteria B to G are also considered to be satisfactorily met through the assessment conducted throughout the remainder of this assessment and in the conditions attached relative to noise, waste collection and storage, artificial lighting and crime reduction measures. As such the development is found to be compliant with Policies LP13 and LP16 of the Kirklees Local Plan.

10.5 The Dewsbury Blueprint can be considered as a material consideration for this application. The aims of the bus station improvements have been listed as follows:

- Transform passenger facilities and enhance customer experience.
- Improve accessibility and safety for all bus station users.
- Upgrade retail at the bus station.
- Help regenerate Dewsbury town centre and make it easier for people to travel between the town centre and the bus station.
- Boost walking and cycling access.
- Make the bus station more energy efficient.

It is considered that by refurbishing the bus station and making improvements such as provision of solar panels and better-quality passenger facilities, the proposed development would accord with the aims of Dewsbury Blueprint.

- 10.6 On the basis of the above, the proposal is acceptable in principle subject to a review of other material considerations set out within the Local Plan, notably transport, visual and residential amenity, heritage, environmental, arboricultural, ecological and drainage factors.

### Transport Matters

#### *Transport Context*

- 10.6 The application was accompanied by a Transport Statement produced by Jacobs and dated June 2023, however we do note that the proposed site plan drawing included in the TS (Drawing No 01201 Rev D1) has been superseded, and so the replacement drawing 01811 Rev P1 has been used for these consultation comments. A stage 1 safety audit (and designer's response), a construction traffic management plan and several tracking drawings were also submitted and assessed.
- 10.7 The improvements to the bus station will reduce the number of bus stands/bays from 19 to 16 and this change is not expected to cause an increase in the number of services using the site and so the trip generation for the site is not expected to increase with the proposals to the point where there would be a severe impact on the operation and efficiency of the local highway network. The improvements are to make bus travel more attractive and will hopefully cause a modal shift away from private cars on to public transport.
- 10.8 The proposals are to also remove fourteen staff/visitor car parking spaces, and this will further reduce trip generation at the site. It is expected that these parking spaces can be successfully displaced to existing parking spaces within the town centre or shift mode to public transport.
- 10.9 There are three sets of cycle storage shown on drawing No 01811 Rev P1 at the three pedestrian entrances to the site. These are shown on drawing 05801 Rev P1 as four Sheffield stand style hoops with a clear Perspex cover. There is a more secure staff cycle store located adjacent to the main northern entrance.
- 10.10 The access and egress points of the bus station are to remain in their existing configuration with slight improvements to the layout and pedestrian crossings across the accesses. Tracking drawings have been provided to show that buses can safely access and egress the site. The improved alignment of the pedestrian crossings on the access/egress points have been subjected to a visibility assessment. For the pedestrian crossing across the access from Aldams Road the visibility sight distance is to be improved to approximately 50m and this complies with LTN 2/95 and The Traffic Signs Manual and is acceptable. For the pedestrian crossing on the access from South Street a visibility sight distance of 50m can be achieved and this

complies with LTN 2/95 and The Traffic Signs Manual and is acceptable. The pedestrian crossing across the exit on to Aldams Street is signal controlled.

- 10.11 A Stage 1 Safety Audit was submitted for the application proposals and identified several safety concerns around the site. This instigated changes to the designs of the site plan drawing to remove the concerns identified in the Stage 1 safety audit. The designer's response removed all noted concerns.
- 10.12 The main area of concern KC highways Development Management have is the waste storage and collection details within the submission. The main bin store is located to the northwest of the site and is outside the bus circulation lanes. The swept path analysis provided with the application (shown in drawing No 3014 Rev P01 Vehicle Tracking Sheet 4 of 5), was done using a 7.9m refuse vehicle. This should have been done with an 11.85m refuse vehicle as requested in Local Guidance. It may be possible that the manoeuvre indicated on the swept path analysis to collect the waste may not be available to an 11.85m refuse vehicle. The swept path analysis also shows that during waste collection the collection vehicle will block the access to both the ambulance space and buses in layover bay L3. The longer 11.85m vehicle may also overhang and obstruct the bus circulatory lane. KC Highways Development Management recommend a slight redesign of the waste storage and collection details to allow for an 11.85m refuse vehicle, relocating the bin store to the south of the ambulance cabin and allowing the refuse vehicle to use bus layover bay L4 for collection.
- 10.13 The secondary/retail bin store is located to the east of the site and is shown on the revised proposed site plan drawing 01811 Rev P1. Comments on the suitability of the bin store was provided by the Kirklees Waste Strategy Team. The Transport Statement stated that discussions have been entered into with Kirklees Council and that as part of the proposed streetscape alterations along Aldams Road a dedicated service vehicle pull in bay will be provided on Aldams Road. No details have been provided for this proposal (which would be outside the red-line boundary) and the drawings produced for the Dewsbury Town Centre Walking and Cycling Improvements Second Stage Consultation documents do not show a service lay-by on Aldams Road. It should be noted that the proposed location of the service layby (within 20-25m of the bin store) is between two signalised junctions and this may lead to highway safety concerns regarding a service lay-by in this location. There are also existing trees that are marked in the drawing as "to be retained" in the possible location of the service layby. We would need to see details of the proposed service lay-by before we could assess it, and until this information is provided, we do not think the proposed bin store would be acceptable to collect from and would request that any waste collections are done from the proposed bin store to the west of the site. This would involve someone moving the waste from the retail premises over to the bin store for collection.

Details of this should be provided as part of a service management plan/waste and delivery strategy note and this should be conditioned.

- 10.14 A construction access management plan covering the demolition and rebuild of the bus station was submitted and this was acceptable on highways grounds.

#### *Conclusion*

- 10.15 Overall, the proposed development complies with designated transport policies within the Local Plan, those being LP20 – Sustainable Travel, LP21 – Highways and access, LP22 – Parking, LP23 – Core walking and cycling network and is attributed significant weight in decision-making terms for the application as a whole.

### Urban Design, Heritage, Landscaping, Ecology and Arboricultural Matters

#### *Urban Design*

- 10.16 The existing bus station is of relatively low architectural quality. The single storey massing with exposed portal framed roof is less tall than many other surrounding town centre buildings and appears more appropriate to an out-of-town retail park than the heart of a town centre. The existing cladding systems are dated and are at odds with the predominant stone and brick materiality of the surrounding town centre. Whilst the retail units which are located at the south-eastern corner of the bus station are predominantly of brick construction, the integration of a dated curtain wall cladding system with red cladding panels and fascias is in stark contrast to the stone construction of Dewsbury Minster which sits on the other side of Aldams Road, opposite the bus station.
- 10.17 A number of options were considered for the purpose of upgrading the Bus Station, these include Do-Minimum, Do-Medium and Do-Maximum. The applicant has stated that Whilst the Do-Minimum and Medium Intervention Options promised to provide significant upgrades to the existing station for a lower capital cost, it was only the Do-Maximum Option which promised to provide the transformative change in passenger experience, environmental and ecological sustainability, safety and physical appearance which satisfied the original client brief and the aspirations for a modern and inclusive transport hub for Dewsbury.
- 10.18 In respect of scale, the proposed development is a refurbishment of the existing bus station structure and consequently major changes to the massing of the building were not part of the development scope. It has been possible, however, to achieve several more minor improvements

in the massing and scale which benefit both the internal and external environment.

- 10.19 The proposed refurbishment introduces a new roof parapet around the entire perimeter of the existing pitched roof. In addition to providing safe maintenance access to the roof and to the new PV panels which are on the roof, the intent is to increase the apparent height of the building so that it is more in keeping with the massing expected in a town centre environment and to screen the visual appearance of the existing industrial style portal framed pitched roof. Vertical strip windows to the Aldams Road frontage of the retail units are designed to provide a new vertical emphasis to the building, further enhancing the visual appearance of increased height, appropriate to a town centre environment.
- 10.20 The existing bus station pedestrian entrances are not sufficiently distinct from the surrounding facades and add nothing to assist with natural wayfinding. The proposed re-development includes new projecting ETFE entrance canopies which oversail the building entrance points, providing suitable visual emphasis. A new ETFE roof over the mall further increases the internal height of the mall, adds much needed natural light to the space and increases the height of the north and south building entrances, adding further visual emphasis.
- 10.21 The new building façade is to consist of new curtain wall glazing in a capless structural mullion system which will provide a clean aesthetic and excellent out to in and in to out visibility for natural surveillance and emphasis on visible activity within the building. The vertical strip windows which are to wrap around the Aldams Road frontage of the retail units further enhance the visual transparency and will help establish an active street frontage.
- 10.22 Whilst the existing facades are of low height, their scale remains large and horizontal in nature, and their massing feels lightweight and industrial, consisting of slender external columns offset against a continuous run of large module glazing and cladding panels. The proposed façade development includes overcladding of the existing columns with new stone faced rainscreen cladding to provide a visible rhythm to the facades and a new visual weight to the structure that is more in keeping with the traditional stone and brick buildings within Dewsbury Centre. The new louvred parapets and horizontal ribbed zinc cladding provide a suitable visual cap to the façade structure, again adding visual weight and depth to the façade.
- 10.23 The existing roof structure to the main concourse building is retained, but with the existing gable ends removed and replaced with new hipped roof cladding. This permits the continuous roof access walkway to be formed and simplifies the external massing of the roof, removing the false emphasis that the gables provided which could be incorrectly interpreted as building entrance points.

10.24 The new single ply ETFE roof over the mall provides a break in the roof construction, permitting natural light and ventilation to be provided to the existing building circulation routes. The increased height of the roof, coupled with the visual lightness of the transparent ETFE, creates a much greater feeling of space and lightness within the mall area. A new flat roof structure is provided to the retail units, providing the necessary increase in structural strength required to support the new Photo Voltaic Panels, green roof and possible future ventilation plant for the retail tenants. The green roof is to be an extensive green roof, but with individual plug plants using British native plant species to encourage biodiversity.

10.25 In respect of the material palette, this varies across parts of the design, but is mostly proposed as follows:

1 - Horizontal ribbed zinc rainscreen cladding, including for louvres. Colour dark grey (Anthra-zinc / RAL7016)

2 - Composite natural stone veneer tile cladding system on a honeycombed aluminium backing panel. StonePanels Stonelite cladding system or similar. Stone type to be agreed via condition.

3 - Structural mullion double glazed curtain wall system. Schueco FWS50SG or similar. Polyester powder coated aluminium transoms and mullions in dark grey (RAL7016). Glass to be toughened and laminated for robustness and security and supplied with a solar control interlayer for thermal control. Vinyl applied manifestations to be provided on the glazing in compliance with Building Regulation requirements.

10.26 A condition would be added to the decision notice to ensure that material specifications and samples can be inspected and confirmed as acceptable by the Local Planning Authority prior to external works taking place which could otherwise incorporate less optimal materials than those initially proposed.

10.27 From a design perspective, the development is found to be of significant benefit to the appearance of the town centre in a key gateway location. The development is therefore acceptable and in line with the requirements of Policy LP24 of the Kirklees Local Plan.

### *Heritage*

10.28 The proposed stone rainscreen cladding system consists of lightweight aluminium honeycomb panels with a thin (nominally 6mm thick) stone veneer facing. The system is compatible with most quarried stones and should permit a suitable match to the local vernacular to be sourced by

the cladding subcontractors. Whilst Dewsbury Minster is immediately opposite the proposed bus station site, it is of multiple build dates and varied stone types, but the most prominent sections in views to and from the bus station are the tower and north aisle. These were built in 1767 and are a reddy-brown sandstone, which is unusual for the area. The rest of the church is a sandstone more similar to that used throughout Dewsbury and this is to be used as a reference point for the selection of the proposed stone cladding. It is understood that the existing stone used for much of the construction of the nearby Town Hall (and likely also the Grade II\* Listed Dewsbury Minster) was Thornhill Rock Sandstone, from the Caulms Wood Quarry which has now closed. It is proposed that a stone supplier is engaged during detail design to select a suitable alternative for agreement with representatives from Historic England and Kirklees Planning Department. A condition would be attached to the decision notice to ensure that the samples installed are in line with those proposed.

10.29 KC Conservation have confirmed that they are satisfied with the design in respect of its impacts on adjacent heritage assets, albeit the consultee flagged confirmation that the proposed stone cladding were to be 'natural' stone and this has been confirmed through amended documentation issued to the LPA.

10.30 The LPA consider that the development amounts to a lessening of existing harm to surrounding heritage assets, notably Dewsbury Minster (II\*) and the Dewsbury Town Centre Conservation Area, and will significantly complement the existing heritage of the town centre by result. The refurbishment of the Bus Station is further complemented by the significant public benefit that it brings in improving the impact on heritage assets through improved preservation of their setting. The development is therefore in line with the requirements of Policy LP35 and NPPF Chapter 16.

#### *Arboricultural Matters*

10.31 Policy LP33 – Trees of the Local Plan states that the Council will not grant planning permission for development which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks. Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed acceptable, developers will be required to submit a detailed mitigation scheme.

10.32 KC Trees have identified in the submitted arboricultural information that the refurbishment requires the removal of three Bird Cherry trees (T7, T8 and T15) that are of moderate amenity value and two trees (One

Bird Cherry – T16 and on Cotoneaster – T17) that are low quality when compared against Table 1 (Cascade chart for tree quality assessment) of BS5837:2012, and would be desirable to be retained. The proposal also requires re-surfacing works within the Root Protection Areas (RPAs) of trees T3, T9 and T10 – T14 which are moderate amenity value trees when compared against Table 1 (Cascade chart for tree quality assessment) of BS5837:2012. These works could be harmful to tree health and stability if not undertaken under arboricultural supervision and with care. Even then there would still be a potential risk of post development loss. A detailed Tree Protection Plan (TPP), Arb Method Statement (AMS) and schedule of site monitoring/supervision from the project arboriculturist will be needed to help minimise the disturbance/damage to the retained trees during the refurbishment. These requirements would be secured by condition.

10.33 From an arboricultural perspective, KC Trees have stated that the loss of T7, T8 and T15 is not ideal as it would be desirable to retain these trees in the urban environment. However, due of the potential public benefit of the scheme and scope for new/replacement tree planting within the scheme the loss/impact on local amenity will mitigate for the loss. Consequently, the loss of T7, T8 and T15 is acceptable. KC Trees have forwarded a holding objection but this is due to a technical point of missing information that is not considered to be material to the tree loss and impacts identified, which the consultee subsequently considers to be robustly mitigated for in the proposed landscaping scheme. It is not therefore justified, in the planning balance, that the lack of information in this instance should hold up determination of the application given that a condition securing further landscaping details would be added to the decision notice.

10.34 To conclude, the attachment of an appropriately worded condition to minimise impacts on retained trees alongside the proposed landscaping scheme to mitigate proposed tree loss, allow the development to be found in compliance with Policy LP33 – Trees.

#### *Landscape Matters*

10.35 The application is supported by a framework/provisional landscaping scheme that, at face value, suggests that a high quality landscaping scheme will be installed across the site to further complement the architectural elements of the scheme.

10.36 KC Landscape, in association with KC Trees, have reviewed the proposed landscaping details and have recommended several conditions to require submission of detailed landscaping that will flesh out the planting and management of the landscaping design in full. The LPA are satisfied that the attachment of such conditions will make the development acceptable in planning terms relevant to LP24 – Design.

#### *Ecology Matters*

- 10.37 An Ecological Constraints and Preliminary Bat Roosting Assessment (EclA) as well as a Biodiversity Net Gain Assessment (BNG) have been submitted in support of the application.
- 10.38 The submitted EclA confirms that the site is not within 2km of any international or national sites of ecological significance/ nature conservation. However the site is within 2km of two Local Nature Reserves and Local Wildlife Sites, those being Sparrow Wood 1km south of the site and Lower Spen Wildlife Area which is 1.64km southwest of the site. The River Calder is also an undesignated site located in close proximity to the development. It is not considered that the development will have adverse impacts (significant or otherwise) on any of these sites.
- 10.39 As concerns protected species, the submitted EclA highlights that the site has numerous locations for bat roost potential (examples are provided in Appendix C of the EclA report). The report consequently recommends for a single dusk emergence or dawn re-entry survey for each building to determine presence/likely absence of roosting bats within the site that may be impacted directly or indirectly by the proposed development. A condition would be added to the decision notice to ensure the survey is conducted prior to commencement and subject to implementation of the survey's recommendations.
- 10.40 A Biodiversity Net Gain Assessment has been submitted with the application. The document has been reviewed and Development Management agree with its findings that habitat loss resulting from the development has been minimised and practical plans for habitat enhancement and creation are proposed. The overall score for the development is a net gain of 2.2 habitat units, which represents a 395% biodiversity net gain. The proposed level of net gain, in excess of the 10% minimum is of significant positive weight in decision-making terms. Given that a landscape ecological management plan is required by condition, it is felt that biodiversity management for the net gain can be secured via the LEMP condition.
- 10.41 Overall the exceedance of the no net loss to biodiversity value required by Policy LP30 through the provision of a biodiversity net gain in excess of 10% is a significant benefit of the scheme and that possible impacts on habitats can be avoided through an appropriately worded condition. Consequently, the ecological benefits of the development contribute favourably in respect of the scheme's public benefits and the weight associated for the planning balance.

Residential Amenity, Environmental Health, and Climate Change Matters

*Overbearance, Overshadowing & Privacy Loss*

- 10.42 Policy LP24 – Design of the Local Plan requires development proposals to consist of good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape, whilst providing a high standard of amenity for future and neighbouring occupiers.
- 10.43 Given that the development is a refurbishment of an existing transport use and that the proposed Class E uses are limited to locations within a town centre adjacent Dewsbury Ring Road, it is considered that the risk of increased amenity loss to surrounding residential occupants, namely those at Yorkshire House and prospective occupants at the upper floors of 30 South Street, would be negligible.
- 10.44 When viewed in the round, the residential amenity impacts of the development from an overshadowing, overbearance and privacy loss perspective are exceedingly limited.

#### *Air Quality*

- 10.45 The development is approximately 400m west of Air Quality Management Area 5. Environmental Health have been consulted on the application and have not raised any concerns in respect of Air Quality resulting from the development.

#### *Noise*

- 10.46 Environmental Health were consulted on the application and have not raised any concerns in respect of permanent noise matters that would otherwise cause harm to residential amenity at nearby receptors.

#### *Construction Management*

- 10.47 A construction traffic management plan has been submitted with the application as well as supplementary information within the Design and Access statement. Given that the bus station is to remain in partial use throughout the construction period, a condition is recommended by Environmental Health to ensure that the construction period is appropriately managed until the development is complete. This condition would be added as a part of the decision notice.

#### *Contaminated Land*

- 10.48 Policy LP53 – Contaminated and unstable land states that development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate

contamination assessment and/or land instability risk assessment. For developments identified as being at risk of instability, or where there is evidence of contamination, measures should be incorporated to remediate the land and/or incorporate other measures to ensure that the contamination/instability does not have the potential to cause harm to people or the environment.

- 10.49 Following review of the submitted documentation concerning the potential for contaminated land, the KC Contaminated Land Officer has confirmed that a Phase 2 Intrusive Site Investigation Report, Remediation Strategy, Implementation of Remediation Strategy and Submission of Validation report conditions will be required for all three areas. On this basis, the development is able to meet the requirements of Policy LP53.

### *Climate Change*

- 10.50 The Climate Change Statement appended (Appendix D) to the planning statement for the scheme sets out that the refurbishment of the bus station will include provision of an Air Source Heat Pump to replace the building's aging gas boiler, the roof would be provisioned with approximately 100 solar panels (subject to Building Survey), instantaneous hot water taps which only operate when turned on, full LED lighting across the building and site including light sensors to maximise efficiency dependent on the time of day. The development will also provide Electric Vehicle Charging Points for contractor vehicles on the site, details of which would be secured by condition.
- 10.51 The development, being a refurbishment, is also more sustainable through re-use of the existing structure, would minimise waste to landfill as well as the use of new materials. The scheme has also been designed to minimise the introduction of new structural elements to reduce the need for additional steelwork. The boundary public realm/landscaping for the Scheme would use reclaimed stone from site to construct a stone wall with piers and railings adjacent Aldams Road. Similarly, the applicant states that the landscape design process has sought to maximise opportunities for removing existing hard standing and replacing with topsoil and ornamental shrub and tree planting. This is apparent to the southern and northwest boundary of the site on the submitted plans.
- 10.52 A section of Sedum Green Roof is proposed on a section of the roof of the bus station building. This would provide a carbon sink and will help offset loss of existing trees in this location. Low maintenance planting, with seasonal succession has been specified to minimise frequency of maintenance. The use of cold in-situ recycling or the incorporation of asphalt reinforcement would be included for consideration as potential options for the rehabilitation of the bus circulation route and bus stand pavement. These alternatives maximise the retention of existing pavement materials and reduce

the volume of material that needs to be removed from site and replaced. The applicant has also indicated an intention to minimise the use of Portland cement in concrete wherever possible for pavement works, and the specification of warm mix asphalt (rather than hot mix) would be implemented.

- 10.53 Thermal modelling has also been undertaken and a natural ventilation strategy has been developed to help avoid overheating and the need for mechanical ventilation or cooling to the main concourse and mall spaces. New automatically opening windows in the concourse along with insulated glazing and cladding units, and automatic louvres have been specified to assist achieving a natural temperature and ventilation strategy, linked to the BMS.
- 10.54 On the basis of the above, the development is found to be in accordance with Policy LP24 (d) as regards the promotion of high levels of sustainability in the development concept.

#### Drainage Matters

- 10.55 The supporting text to Policy LP28 - Drainage states that when proposing new developments, surface water issues need to be addressed in terms of existing surface water and potential increases to run-off resulting from the development. Effective management of surface water can help to prevent increased flood risk and negative impacts on water quality with associated biodiversity benefits.
- 10.56 Due to the nature of the underlying soils, the risk from contamination leachates and the presence of a high water table, the LLFA considers that this site is not suitable for soakaways. Kirklees Council records indicate that there are 2 No. existing Surface Water MHs within the site – one on the eastern boundary connecting to a Yorkshire Water 375mm diameter sewer in Aldams Road/Wilton Street and the other on the southern boundary connecting to a Yorkshire Water 300mm diameter sewer, both of which discharge directly into the river Calder. Any new drainage runs should be directed to one of these outlets (subject to acceptance by the statutory undertaker (Yorkshire Water)).
- 10.57 It is noted that part of the existing hardstanding is to be demolished and replaced with soft landscaping. Provided that this removal of existing hardstanding represents a 30% reduction in the total roof/hardstanding area, then the LLFA will accept that no attenuation of surface water run-off will be required. A CCTV survey of all existing surface water drainage pipelines and identification of their outfalls will be required to ensure the suitability of their condition and capacity. Kirklees Flood Management & Drainage as Lead Local Flood Authority have indicated that they support the application subject to appropriate conditions being attached to the decision

notice and which would satisfactorily secure the aforementioned requirements at the detailed design stage post-determination.

- 10.58 Overall, the proposed development is acceptable in respect of its drainage design as it will not increase flood risk on-site or elsewhere in accordance with Policy LP28 of the Kirklees Local Plan.

#### Other Matters

- 10.59 There are no other matters.

### **11.0 CONCLUSION**

11.1 On the basis of the assessment outlined above, Development Management Officers are satisfied that the proposed scheme is acceptable in planning terms and accords with relevant policies in the Kirklees Local Plan and the National Planning Policy Framework. The scheme provides a significant beneficial intervention within Dewsbury Town Centre in that it accords with the objectives of the Dewsbury Blueprint and would provide a significant upgrade in visual appearance, operation, sustainability and biodiversity than the existing bus station.

11.2 There are few, if any, negative aspects to the scheme in respect of material planning considerations and those that may exist are determined to be able to be adequately resolved through appropriately worded planning conditions.

### **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)**

1. TCPA Section 91 – Development to commence within 3 years;
2. Development in accordance with plans and specifications schedule;
3. Restrictions on floorspace use by land use class;
4. Waste Storage Management Strategy and Waste Storage Location Design;
5. Submission of Drainage Design Details;
6. Submission of overland flow routing and exceedance event planning for flood risk;
7. Protection of on-site sewerage infrastructure;

8. The development shall be constructed with separate systems of drainage;
9. Compliance with approved permanent artificial lighting design;
10. Submission of Construction Environmental Management Plan;
11. Submission of Phase II Contaminated Land Report;
12. Submission of Land Remediation Strategy;
13. Compliance with approved Remediation Strategy;
14. Submission of Land Validation Report;
15. Submission of detailed Security Measures for compliance with DOCO requirements;
16. Submission of hard and soft landscaping details;
17. Submission of Landscape Ecological Management Plan;
18. Electric Vehicle Charging Point details;
19. Protected species survey prior to commencement;
20. Submission of specifications and physical samples of external finishing material samples;
21. Submission of Tree Protection and Method Statement;

**Background Papers:**

Application and history files available via URL:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f92141>

Certificate of Ownership – Certificate B Signed and requisite notice issued.

