



Network Rail  
Floor 4b/13  
George Stephenson House  
Toft Green  
York YO1 6JT

Matthias Franklin  
Development Control  
Planning Services  
Kirklees Council  
PO Box B93  
Civic Centre III  
Market Street  
Huddersfield  
HD1 2JR

TP/LNE/2023-120

20th July 2023

Dear Sir/Madam,

**APPLICATION FOR CHANGE OF USE OF EXISTING BUS DEPOT, LEES HALL ROAD THORNHILL LEES DEWSBURY TO TEMPORARY STORAGE DEPOT IN ASSOCIATION WITH TRANS-PENNINE UPGRADE**

Please find enclosed the completed form and associated plans relating to a request for planning consent for the change of use, on a temporary basis, of the former bus depot on Lees Hall Road, Dewsbury. The change of use proposed is to a temporary storage facility in association with the Transport & Works Order (Huddersfield to Westtown (Dewsbury) Order 2021, part of the Trans-Pennine upgrade. As the site does not fall within the Order boundary planning consent would be needed for use of the land and building in question.

The existing site was used as a bus depot from the 1950's. A subsequent permission was granted and implemented in 2014, changing the use of the site to light industrial use (former class B1a & c). However, there is some doubt as to whether this use has actually been implemented, as one of the last recorded uses of the building was as a joinery. Notwithstanding the current legal use, our proposal seeks a temporary change of use, for a period of not less than four years, to use the existing building and land as a storage depot associated with the nearby railway upgrade.

As work has now commenced on the upgrade, it has become apparent that the land originally identified for temporary construction facilities within the Order

boundary is insufficient for the scale of the work proposed. Hence, we are seeking additional accommodation outwith the Order limits and powers.

### **Current Status**

The site, of 0.23 Ha, comprises a large stand-alone two storey building of metal construction (500 sq m) dating from the 1970's, with a corrugated metal pitched roof. It has a later built flat roofed stone built two storey office extension to the northern side. The ground floor of the building incorporated a reception area which fronted an office, two existing inspection pits, two storerooms and a brake tester unit. The first floor extends across the office area to the west of the building and is inclusive of a storeroom, kitchen and toilet facilities, locker area and offices. The building has a tarmac area surround, an area for car parking (unmarked) and a large area of hardstanding to the east. Vehicular entry is by means of an 8-metre-wide gated access onto Lees Hall Road. Lees Hall Road itself is a cul-de-sac.

### **Planning History**

There are three records of requests for planning permission on the site. They are set out below.

2010/92758 – Change of Use from B8 use to B2 for commercial vehicle repairs – refused December 2010 on grounds of impact of B2 uses on adjacent residential areas

2011/93289 – Certificate Of Lawfulness for overnight storage and servicing of vehicles – refused 12/12/11 on grounds of insufficient evidence to show that the site had been used for such activities over a 10 year period.

A subsequent enforcement notice (EN994) was served on the users of the site, DMR Commercials Ltd., which was the subject of an appeal, but it is presumed this was either withdrawn or refused. One of the outcomes of the applications was recognition that the valid planning use of the site was as a bus depot for Stanley Gath Coaches Ltd., in operation since the mid 1950's. This ceased in 2008.

2014/91625 – Change Of Use from Bus Depot (Sui Generis) to Business Use (former class B1b & c) and internal alterations - approved August 2014. As stated previously there is some doubt as to whether this consent has been implemented, in which case the established use would remain as a bus depot.

### **Proposed Use**

The site is proposed as a storage compound, used for the overnight parking of light goods vehicles (such as 4x4 pickups) and smaller parts storage such as

generators, hand tools and less bulky materials. There will be five permanent staff based at the compound, with another five using the site on an ad hoc basis. The site will be manned 24 hours with CCTV for security purposes only; there would be no overnight activity at the site. We are happy to have the use of the site restricted to reasonable daylight hours only by means of a suitably worded condition.

### **Relevant Policy**

Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. For Kirklees the development plan consists of the Kirklees Local Plan (Strategy & Policies, Adopted 2019)

There are no specific local plan policies that would pertain to the use of the site as a storage compound. However, Policy LP19 Strategic Transport Infrastructure is the most important policy relevant to the application. It sets out the importance of the ability to move goods and people given the district's strategic position on the national motorway and rail networks and sets out that 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*'.

Part 2 of the policy states that: '*Proposals will be encouraged where they assist to bring forward strategic transport infrastructure where possible, particularly where they would directly benefit from these schemes*'.

In the reasoned justification specific mention is made of Network Rail's commitment to the electrification of the Trans-Pennine route.

The Upgrade represents one of the biggest construction programmes to be carried out in the district in recent times, stretching 13 miles from Huddersfield to Westtown. Given the evolving detailed design and a re-assessment of practical requirements once construction commenced, it is the case that additional temporary land is needed to deliver the scheme to the timescales sought by the Government. The main construction compound for the Ravensthorpe area works is at Lees Hall Farm, powers for which have been granted through the Transport & Works Order. However, there is an identifiable need for further storage accommodation. Given the relatively close proximity of the depot to the main construction compound it is seen as an ideal location for such additional storage.

### **Transport Matters**

The compound will chiefly be for the storage of smaller scale goods and equipment that can be transported in light goods vans (flat back wagons, transit vans and smaller, though there would be the occasional visit by an HGV). There will be approximately 10 deliveries per day. Parking for around 10 vehicles for site-based staff is proposed. A one-way system around the building is proposed with parking at the rear. The area of hardstanding to the south of the unit would

be used for materials storage and the parking of service vehicles (4x4 vehicles for access within the main construction site).

It is recognised that the previous applications for use of the site as a commercial vehicle servicing, repair and storage facility was turned down based on the potential impact on the nearby residential properties. This application seeks to limit the use of the site for the storage and movement of construction machinery and materials only, seeking a secure location for such equipment to be housed during the construction of the railway upgrade. Materials and equipment would be loaded during the day as required and transported to site.

Noisy activities would therefore be limited to the passage of vehicles in and out of the depot and the loading/unloading of supplies to those vehicles as required. 10 deliveries per day on average represents less than one per hour during the day visiting the site (it should be remembered that access to the main compound would also be along Lees Hall Road and there will be far more "permitted" vehicular traffic along this road associated with the main compound and thus the additional traffic to and from this site would not be significant).

It should be further added that if the established use is still as a bus depot, then the level of activity associated with that use would be greater than the store depot proposed, as no maintenance or servicing of vehicles would be taking place as previously under the Stanley Gath operation.

It also represents a productive use of a currently empty building, which earlier this year was the scene of illegal activity. There would be no alteration to the external appearance of the building and surrounds save for the open storage of materials and vehicles on the area of hardstanding to the south of the building. Please also note that no member of the general public would have access to the site.

## Ecology

There are no identifiable areas of ecological interest within the site, nor any hazardous species

## Drainage

As this is a change of use application there will be no amendment to the existing drainage arrangements. No new surfacing is proposed as part of this application.

You will find enclosed the following:

Location Plan (1:2500)  
Existing Floor Plan  
Proposed Site Layout

The requisite fee of £462 has been paid separately by credit card.

Please let me know if you require any further information. No doubt you will acknowledge the application as valid in due course.

Yours Faithfully

**Tony Rivero**  
**Town Planning Manager EM & LNE**