

Planning Statement

John Cotton, Mirfield

John Cotton Group Ltd

August 2023

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1. Introduction

- 1.1 This planning statement has been prepared in support of an application lodged by the John Cotton Group for an extension of their existing factory in Mirfield.
- 1.2 This application is in outline, and seeks approval of the principle of a 27,500sqm (c.300,000 sqft) warehouse (B8) development with a maximum height of around 24m. The application is made in outline with some matters reserved.
- 1.3 The site is allocated for employment development in the Adopted Kirklees Local Plan (Site ES9). It is a derelict former Yorkshire Water treatment works, which is now a prominent derelict site at the gateway to both Huddersfield and Mirfield.
- 1.4 The proposed development will be a major investment by John Cotton and will regenerate this vacant brownfield site, as well as bringing forward one of the few remaining sites in the Local Plan which was allocated to provide jobs for people living in Kirklees. The new building will rationalise John Cotton's local storage operations, reducing local off site vehicle movements associated with the operation, and thus improve highway conditions in the vicinity of the site.
- 1.5 This application is supported by the following information:
- Design and Access Statement, KPP Architects
 - Air Quality Assessment, by Air Quality Assessments Ltd
 - Noise Assessment, Nova Acoustics
 - Ground conditions report, Wardell Armstrong
 - Preliminary Ecological Appraisal, Envirotech
 - Statement of Community Consultation, Royal Pilgrim Communications
 - Flood Risk Assessment and Drainage Strategy, Wardell Armstrong
 - Landscape Strategy, PWP Design
 - Sustainability Strategy, CGP MEP
 - This Planning Statement.
- 1.6 This statement addresses the following key issues:
- A description of the site and surroundings,
 - A review of the relevant planning history,
 - A review of the relevant policies, including our assessment of whether the proposed development complies with the Development Plan,

- A review of the principle of the development and whether it is acceptable in planning terms,
- A review of the technical supporting information for this application, including how this application fits cumulatively with the adjacent committed and proposed development on the remainder of this allocated site,
- A review of the key benefits that arise from this development, and
- Consideration of the planning balance that we see in this case.

1.7 In overview, we consider that this application complies with policy and has considerable benefits that justify granting planning permission in this case. This statement sets out the reasoning and justification behind that conclusion.

2. Site Location and Description

2.1 The site is located immediately adjacent to the Cooper Bridge junction, adjacent to Leeds Road; Cooper Bridge Road and the A644 leading to Junction 25 of the M62. The site adjoins the existing John Cotton factory on Leeds Road and shares its access point, which is close to the junction of Leeds Road and Huddersfield Road.

2.2 The site location is shown below:



2.3 The site is previously developed and the majority is former waste water treatment works. The site was previously a series of filter beds which have been removed over the last few years. The main area of the site has now been levelled and is currently a flat gravelled area.

2.4 The site includes an area north of nun brook, which is owned by John Cotton and is currently in use as a car park. The existing John Cotton complex is to the east of the site (within PEA42) and commercial uses (comprising a Petrol Filling Station, Spar shop, Starbucks and hotel) lie opposite this, north of Huddersfield Road.

2.5 There are existing residential properties to the immediate west of the site, immediately adjacent to the Cooper Bridge Roundabout and Yorkshire Water have retained property to the north west and south east of the site.

2.6 There are further commercial uses to the north of Leeds Road- comprising a Miller & Carter Steak House and a commercial / horticultural nursery site.

2.7 Other than the two houses immediately adjacent to the western site boundary, the nearest houses are some 130m away from the eastern most tip of the site- which is already in use as

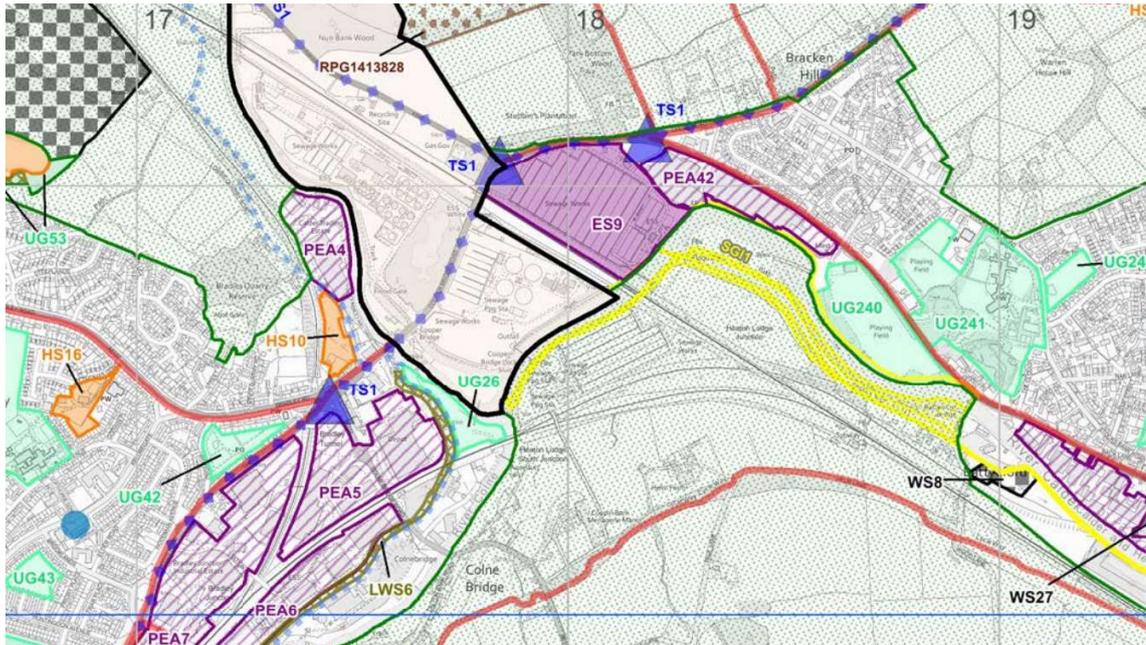
car parking for the John Cotton operation. Indeed, the existing factory provides a firm physical barrier between the development site and those houses.

3. Planning History

- 3.1 There is no relevant planning history on the main development area of the site, although the area now proposed (and used) as car parking in the northern part of the application site was included in a 2003 approval for the expansion of John Cotton (2002/92450) as an overspill car park.
- 3.2 A building retained by Yorkshire Water to the north of site site was approved as a pumping station in 1996 (96/90491).
- 3.3 The houses adjacent to Cooper Bridge Roundabout have a varied history- with various attempts to secure:
- Further housing (202/93639- withdrawn);
 - a “granny annex” (2012/92536- approved);
 - site a caravan (2002/94519-refused) and to
 - park commercial vehicles (2003/95008 and 2003/90586- both refused).
- 3.4 Rose Cottage was extended and secured permission for storing logs in the car park area.
- 3.5 There is little relevant planning history which is considered to be determinative for this application.
- 3.6 However, the history of the allocation is more relevant. The site is the retained brownfield element of a wider draft allocation, which was deleted by the Local Plan Inspector over heritage concerns. This site was one of the key strategic employment allocations in the Draft Plan and this current application is the remaining part of that opportunity. The implications of this are discussed further in the benefits section of this report.

4. Policy Analysis and the Principle of the Development

- 4.1 A full analysis of the relevant Development Plan policies is provided at Appendix 1. The Development Plan is the Kirklees Local Plan, adopted in 2019. We consider that that the Application complies with the relevant policies in the Adopted Plan.
- 4.2 The majority of the site is allocated for employment development in the Local Plan under policy ES9. A small area is unallocated but within the Urban Area, and a further area is within PEA42- also an employment designation.



- 4.3 Policy ES9 sets out detailed considerations for applications that are proposed on this site. The Policy notes that the site is identified in both the City Region Strategic Economic Plan and the Kirklees Economic Strategy. It also recognises that the houses close to the site will need to have their amenity safeguarded, through careful siting and buffering.
- 4.4 The retention of this important manufacturing operator in Kirklees, and the delivery of additional jobs in advanced manufacturing, is clearly in line with the economic aspirations of both the Council's and City Region Economic Strategies.
- 4.5 The amenity of the houses close to the site will be protected by the provision of a considerable buffer, comprising both landscaping and parking, of around 80m between the façade of the nearest house and the edge of the building. The landscape strategy shows potential for very significant planting in this area. The Noise report shows that noise from the building in this location will be limited and the outline nature of this application leaves considerable scope for detailed mitigation to be designed in, if required.
- 4.6 As the site is allocated under Policy ES9 for employment uses, the principle of this development is considered to be acceptable.

5. Material Considerations

5.1 The application is accompanied by a number of supporting documents. The following key conclusions are reached.

Transport

5.2 The purpose of this application is to rationalise John Cotton's local operations into a single base. They currently have warehousing in Ravensthorpe, Ossett (J40 M1) and at Euroway (J26 M62) which would be rationalised back to the main production site at Mirfield. This would reduce local traffic movements associated with the operation. It also increases operational efficiency, reduces cost and produces both environmental and congestion related benefits.

5.3 There are well known congestion issues, at peak times, at the Cooper Bridge roundabout. However:

- The site is well served by public transport, with regular bus services in the local area, as well as to both Leeds and Huddersfield; and
- The Council are working on a major reconfiguration of the Cooper Bridge Roundabout, with the intention of reducing congestion, improving local air quality, and supporting economic growth. Details have not yet been made public, but this would further assist with congestion issues at Cooper Bridge.
- The accident record suggests that most collisions were slight and did not involve pedestrians or cyclists.

5.4 The local highway is currently considered to be fit for purpose, and future improvements will offer benefits to the operation of the network.

5.5 The access proposals for this application rely on the existing road network. However, discussions have been held with Kirklees Council's major projects team to ensure that the proposed access arrangements are also compatible with the future planned improvement works at Cooper Bridge.

5.6 The intention is that the proposed development can be implemented prior to those improvements, and will not prejudice the future delivery of the Council's proposals for that junction.

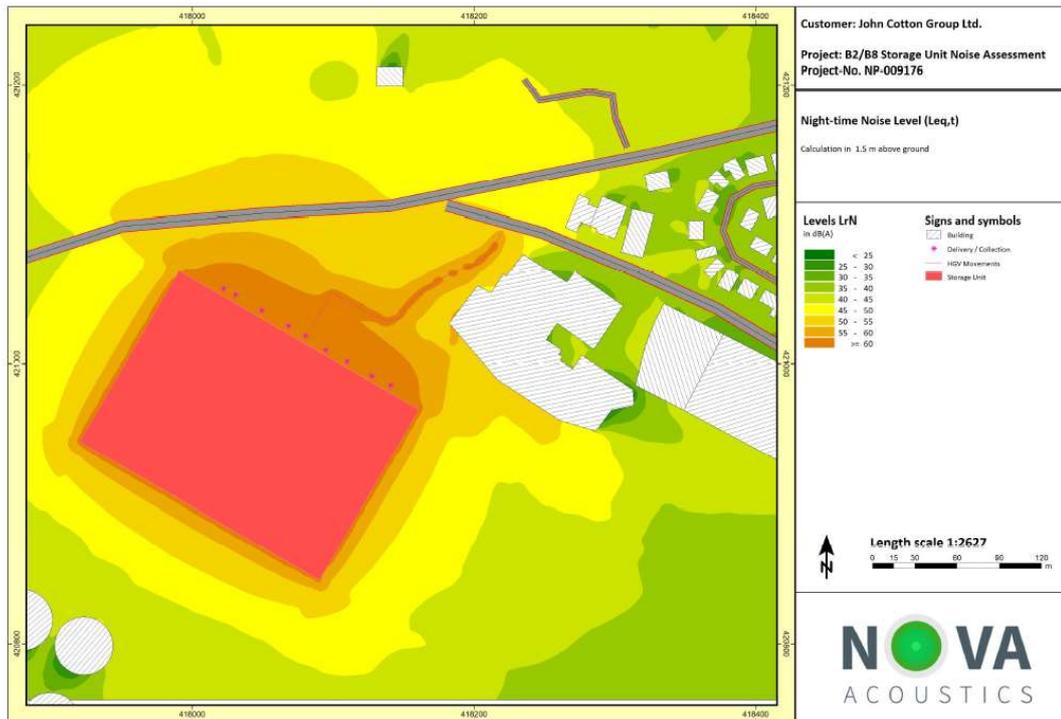
5.7 It is proposed that HGV access will be taken from the existing sewage works access point on Cooper Bridge Road, south of the roundabout. The existing access would be suitably improved. HGV egress will occur on Huddersfield Road, at the existing John Cotton access point, west of the factory.

5.8 The Huddersfield Road junction will also provide the car parking necessary for the development, and will cater for all car traffic.

- 5.9 This approach will create a one way system for HGVs within the site- although emergency access could be secured in either direction if required.
- 5.10 The Transport Assessment shows that:
- That the proposed development is a modest increase over currently approved development, involving:
 - Fewer than 30 trips during weekday hours, and around 1 vehicle every 2 minutes in most cases.
 - Around 50 trips, less than 1 vehicle per minute, on Cooper Bridge Road at the new access point and at Leeds Road, southbound towards the Cooper Bridge Roundabout.
 - That no further mitigation is needed as a result of this development.
 - There is no significant impact on the operation of the existing network.
- 5.11 The transport assessment therefore concludes that the proposed development is acceptable and will not result in any highway safety issues, congestion or major delays that might warrant refusal of the proposed development.
- 5.12 It also concludes that the site is accessible by walking, cycling and public transport, and that the already approved access infrastructure can also accommodate the development proposed by this application.

Noise

- 5.13 A noise assessment accompanies this application. The current background noise levels are 52 dB LA90, 15min during the daytime and 48 dB LA90, 15min during the night time.
- 5.14 As the application is in outline, there is no detailed construction information. The assessment assumes that the building will be constructed from standard cladding panels and that roller shutters will provide an equal sound reduction to the building facade. Manufacturers information shows that these materials will provide suitable sound reduction outcomes.
- 5.15 No external fixed plant has been specified, so plant noise limit levels have been defined to ensure that the noise emissions do not exceed the background sound levels at the closest receptors.
- 5.16 The noise model shows the following contours during the most sensitive night time hours:



- 5.17 The report concludes that, during both day and night times, the development will have low impacts with “no observed effect level”. No further mitigation is considered to be necessary for the operational phase.
- 5.18 The activities carried out during the earthworks and construction phase of the proposed development may generate short term increases in noise levels. However, to minimise the potential impact, construction stage mitigation measures would be put in place. These would be detailed through a construction management plan and could be required by condition- but could include temporary screening of works; regularly maintaining kit; avoiding simultaneous noisy activity; controlling working hours, and; switching off engines when possible.
- 5.19 The noise assessment shows that the proposed development will not lead to an unacceptable risk from noise or vibration.

Air Quality

- 5.20 The site is not in an AQMA, but a small AQMA was declared in 2008 around the houses at the Cooper Bridge Roundabout. This was declared for Nitrogen Dioxide, which is a vehicle exhaust derived pollutant:



- 5.21 There haven't been any exceedances at any nearby receptors since 2018, although that is likely to have been influenced by covid restrictions.
- 5.22 The level of traffic generated will be very low. The assessment concludes that the development will result in concentrations of air pollutants remaining below the air quality target values, both with and without the development in 2031. The impact of the development is predicted to be negligible.
- 5.23 Mitigation will be provided in the form of travel planning. Whilst the application is in outline, the future provision of Electric Vehicle (EV) charging points will also encourage a move away from internal combustion engines, and the provision of changing facilities for those able to access the site by cycle will encourage cycling and walking to work.
- 5.24 The construction stage will generate dust and other particulates, during both demolition and construction activities. This will be mitigated through standard construction management practices and can be controlled through a CEMP, which can be conditioned.
- 5.25 Air quality effects are therefore considered to be 'not significant'.

Ground conditions

- 5.26 The site is previously developed but was occupied by a sewage treatment works. Historic investigations indicate that the site was farmland before being developed as a sewage works in the 1920's.
- 5.27 The site doesn't suffer from any particular contamination although there is potential for hydrocarbons which may need to be removed or encapsulated. The ground may need improvement before development can occur- most likely a form of vibro-compaction. It is not thought that ground gasses will be an issue on this site.

5.28 Ground conditions work is being completed and will be submitted alongside this application, but current information suggests that ground conditions are not a factor that weighs against this proposal.

Archaeology

5.29 The site has been subject to very significant modern disturbance.

5.30 It has been previously built over, and the ground has also been disturbed by the construction of the adjacent houses, roads and the water treatment works. There is therefore not likely to be any archaeological potential remaining on the site.

Ecology

5.31 The application is accompanied by an Ecological Assessment. The site is dominated by bare ground, with areas of hardstanding, ruderals and ephemeral perennials. There are areas of tree cover with some woodland at the northern end of the site. The plant species recorded at the site are all common in the local area and are considered to be of low ecological value.

5.32 Trees and structures on and within the survey area boundary were assessed for their potential to support roosting or hibernating bats. There is no potential for bats to roost on the site.

5.33 Birds are likely to utilise scrub on site for nesting between March and September. Any vegetation clearance should therefore be undertaken outside of this period.

5.34 No other notable or protected species were recorded on the site following surveys for Great Crested Newt, Badger, Otter, Reptiles and Water Vole. There is also no evidence of invasive plant species.

5.35 The development of the site would have no direct or indirect effects on sites which are of wildlife value. However, the following mitigation is suggested on a precautionary basis:

- If any active amphibian, reptile, water vole or otter activity is identified, cease work and contact an ecologist.
- Provide an escape route for animals that may enter any trenches during construction, and check all areas of open work which are left open overnight.
- Restrict work at night, to avoid light spill onto the boundary- where the habitats with the most value for bats are located.
- Provide new roosting provision for bats on the new building and in retained trees.
- Check any vegetation for breeding birds before removal and remove vegetation .

5.36 If this precautionary mitigation is followed, the development should not have an adverse effect on biodiversity- indeed, it should result in a positive effect beyond the expectations of current policy and legislation, as discussed further in the benefits section of this report.

Trees

- 5.37 There are two areas of tree cover on site which are subject to a TPO. T1 and G2 are both located to the north of the site, adjacent to the proposed car parking area. These will be retained and protected.
- 5.38 The report notes the presence of dead and dying sycamores in Group G4, which it is proposed to remove.
- 5.39 Protective fencing will be erected round those trees that are being retained and are likely to be affected by development. Once a detailed proposal is put forward, further arboricultural impact work will be possible. However, at this stage, it is suggested that trees are not a constraint to development.

Flood Risk and Drainage

- 5.40 The site is in Flood Zones 2 and 3, although the site sits within raised concrete walls which protect the site and the FRA suggests that areas of FZ3 within the development area are inconsistent and thus have been ignored.
- 5.41 The more detailed flood model has been prepared using the EA's Product 4 data, the EA Flood Maps and levels information from the topographic survey. The site floods from two directions:
- In the southeast, the river Calder reaches 49.34m in the most extreme events; and
 - In the western corner of the site, overland flows passing under the railway bridge on Cooper Bridge Road reach some 51.27m.
- 5.42 The main area of the site is enclosed by a concrete perimeter wall which reaches 51.6m higher than the recorded flood levels noted above.
- 5.43 Surface water will be controlled through attenuation in geo-cellular tanks. Discharge will be to Nun Brook, which cuts through the site, at controlled rates.
- 5.44 The development will not be at risk of flooding from existing conditions and will not result in any greater risk of flooding in the wider area. However, safe routes will need to be designed in to ensure access for emergency vehicles in the deepest flooding scenarios. A flood management plan will also be provided to ensure that occupants can evacuate in good time, before any wider local flooding occurs.
- 5.45 Foul drainage will connect to the existing infrastructure adjacent to the site in Huddersfield Road.
- 5.46 The drainage system will also include suitable petrol interceptors and will separate surface water flows from vehicle areas and roof areas, to ensure that any potential pollutants are removed from the system before discharge into the wider water environment. This approach will remove the risk of pollution of both ground water and surface waters.
- 5.47 The FRA suggests that the sequential test will need to be satisfied.

- 5.48 This exercise was completed during Local Plan preparation- The Flood Risk technical paper¹ confirms that site E1832c (which was reduced in size to the current allocation) had *“no reasonably available alternatives in lower flood risk areas (Flood Zone 1). This is because land in the urban area is either proposed to be allocated, already has planning permission, supports established and stable uses or has been assessed as part of this plan making process and rejected for employment use”*.
- 5.49 Therefore, the sequential test was satisfied at the Development Plan stage and does not need to be repeated now.
- 5.50 The same report confirms that an exceptions test is not required, as the proposed use of this allocation is less vulnerable.
- 5.51 It is concluded that flooding and drainage is not a fact that weighs against this proposed development.

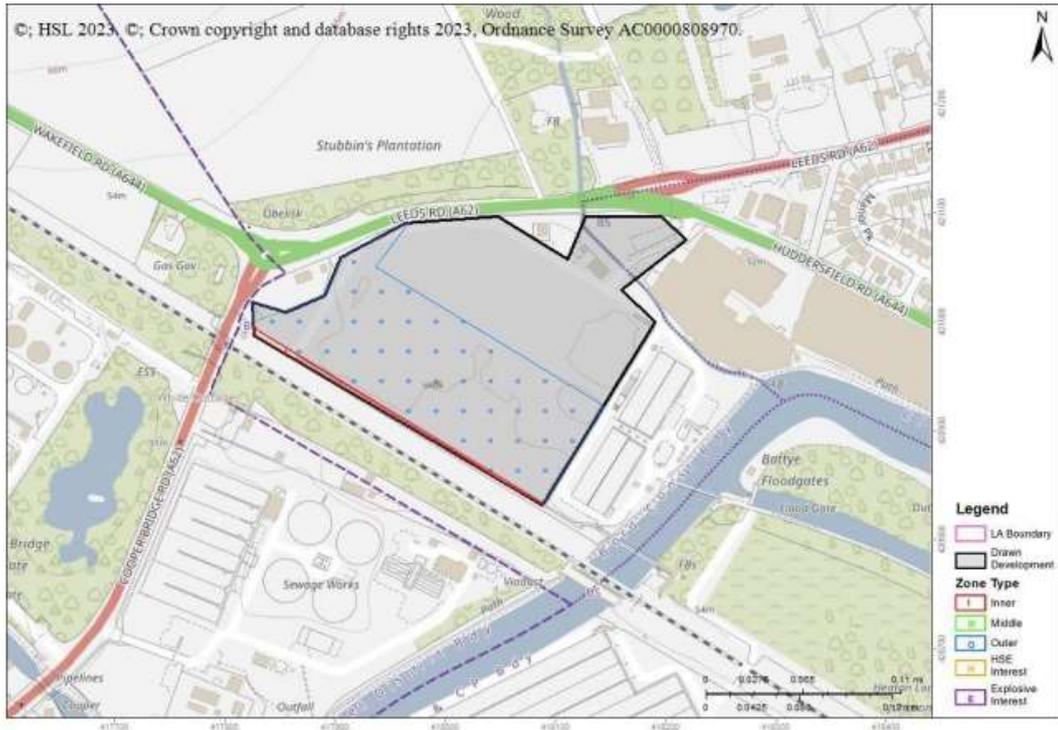
Landscape

- 5.52 The application is accompanied by a Landscape Strategy document, which sets out the key principles that have been adopted to enhance the landscape contribution of this site.
- 5.53 The site is clearly a redundant brownfield site, which has a negative visual impact on a highly trafficked route into both Huddersfield and Mirfield.
- 5.54 The Landscape Strategy sets out the following key principles which can be adopted during consideration of Reserved Matters applications:
- Create a strong green frontage to the site by retaining and enhancing the established planting along Leeds Road.
 - Provide a unified planting approach that maximises habitats, connectivity and value across the site.
 - Provide a strong green boundary between the development and the adjacent residential dwellings, through a native landscape buffer which also provides valuable habitat connectivity.
 - Introduce native planting to the development site where feasible.
- 5.55 It is considered that the development will not have any significant visual or landscape character effects and that planting can both enhance biodiversity value and protect amenity.

Health and Safety

- 5.56 The site is within the Outer Zone of a hazardous pipeline as shown on the HSE webapp extract below:

¹ [Flood Risk Technical Paper \(kirklees.gov.uk\)](http://kirklees.gov.uk)



5.57 The proposed development is sensitivity level 2, as it is a workplace providing for more than 100 occupants. The HSE land use planning methodology Decision Matrix is shown below:

Level of Sensitivity	Development in Inner Zone	Development in Middle Zone	Development in Outer Zone
1	DAA	DAA	DAA
2	AA	DAA	DAA
3	AA	AA	DAA
4	AA	AA	AA

DAA = Don't Advise Against development

AA = Advise Against development

5.58 This matrix suggests that development of the sensitivity proposed would not receive an "Advise Against" recommendation from HSE. It is, therefore, considered to be safe and appropriate for this development to proceed.

Sustainability

5.59 The proposed development will comply with both building regulations and local policy requirements. It will exceed the required carbon dioxide reductions and will achieve this through high fabric performance and the inclusion of air source heat pumps, to provide heating and hot water needs.

5.60 The development will include:

- Building fabric elements and glazing specifications improved over and above Building Regulation requirements;
- Reduced air permeability;
- Specification of efficient heating services and control systems;
- Energy efficient lighting and controls throughout the development;
- Water efficient sanitary fittings;
- Air source heat pump system to achieve a reasonable reduction in regulated CO2 emissions from on-site renewable sources.

5.61 It is concluded that the building will exceed the required sustainability standards.

Consultation Feedback

5.62 The application proposals were subject to Public Consultation in June 2023. The consultation included:

- Direct contact with key stakeholders, including Local councillors, key Cabinet Members and MP.
- Contact with neighbouring businesses and residents.
- Distribution of a flyer to 919 local residents close to the site.
- Exhibition held on the 21st of June at Mirfield Community Centre- Attended by around 50 people.

5.63 The results of the consultation exercise are provided in the SCI.

5.64 Feedback from the consultation event was generally supportive, with only one person saying they did not support the proposal.

5.65 The issues raised included:

- welcoming the support for wildlife that the development would deliver;
- suggesting the provision of a feature office building, and;
- making improvements to highways infrastructure- including a speed limit reduction and improving Cooper Bridge.

5.66 These issues are addressed elsewhere in this statement.

Material Considerations Overview

5.67 A series of technical reports have been prepared to support the application.

5.68 This technical work shows that the effects of the application will be acceptable, following any necessary mitigation. This suggests that there are no material considerations which might outweigh the presumption in favour of the Development Plan.

6. Benefits

6.1 The proposed development has a number of benefits which need to be considered in the overall planning balance for these applications. These are:

- Secure re-use of an abandoned “eye sore” site at a key gateway to the District
- Direct Economic Benefits
- Enable retention of a major local advanced manufacturing operator
- Delivery of one of the few remaining strategically located employment site in the District
- Exceedance of current Bio-diversity Net Gain requirements

6.2 These are considered in more detail below.

Re-use of an abandoned site at a key gateway

6.3 The former Cooper Bridge Waste Water Treatment Works site has been vacant for a number of years. The Yorkshire Water structures on the site have now been demolished and, whilst these were low level structures, the site is now a prominent derelict site at the gateway to both Huddersfield and Mirfield, as shown on the photos below:





- 6.4 The proposed development will be a major investment by John Cotton. It will significantly improve the landscaped frontage to Cooper Bridge and replace the current views of a rubble site and retaining wall with graffiti.
- 6.5 It will regenerate this derelict, brownfield site, as well as bringing forward one of the few remaining sites in the Local Plan which was allocated to provide jobs for people living in Kirklees.

Direct Economic Benefits

- 6.6 The proposed development is up to 300,000sqft of B8 development. The application aims to rationalise some existing remote storage operations, but will still result in a net increase of 100 jobs locally.
- 6.7 This increase in jobs would result in additional GVA of around £4.6m when operational².
- 6.8 This is clearly a considerable direct economic benefit to weigh in the planning balance.

Retention of a local advanced manufacturing operator

- 6.9 The Kirklees Economic Strategy 2019-25 identifies “*specialised advanced manufacturing assets*”, including textiles industries, as a key asset to build on- as identified as the Strategy’s “*Priority 1*”.
- 6.10 The strategy aims to encourage higher productivity work, recognising that manufacturing is the most pronounced high value sector in Kirklees, with the ultimate aim of producing “*good jobs*” for the people of Kirklees.
- 6.11 John Cotton have been headquartered in Mirfield for over 60 years and are the UK’s largest manufacturer of pillows, duvets and protectors. In order to maintain their position, they

² Calculated using £45,742 GVA per job in Kirklees, based on 2021 data in [Subregional productivity: labour productivity indices by local authority district - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/products/productivity/productivity-indices-by-local-authority-district)

have been innovating in fabric and fibre products for over a century, and are a driving force in innovative fibre and non-woven products. They are clearly an “advanced manufacturing” business, with high productivity jobs, ongoing R&D initiatives and innovative products. They are exactly the kind of business that the economic strategy looks to support- and for which this site was included in the Local Plan.

- 6.12 The business currently employs 663 people in Kirklees. This proposal will provide operational efficiencies and allow expansion- which, in turn, will enable the business to remain in Kirklees, retaining those high value jobs.
- 6.13 The rationalisation of the operation and expansion of the current site is critical to securing the future of this high value business in Kirklees.

Delivery of one of the few remaining strategically located employment site in the District.

- 6.14 The supply of employment land provided in the adopted Plan was affected by several high-profile deletions of strategic sites- not least of which the remainder of the Cooper Bridge Strategic Employment site north of the Cooper Bridge Roundabout.
- 6.15 This loss of land has affected the District’s ability to meet strategic economic needs.
- 6.16 Cooper Bridge is identified in the Leeds City Region Strategic Economic Plan³ as a “*major employment growth opportunit[y]*”⁴. However, draft allocation E1832c – which included Green Belt land to the north of Cooper Bridge, as well as the application site- was deleted from the Plan by the Inspector because of heritage effects, primarily arising from the development north of Cooper Bridge.
- 6.17 This left only 4Ha of brownfield element remaining from the allocation on the application site. This change to the Plan during the EIP removed 29Ha (net) of highly accessible strategic employment land from the Plan. Other similar deletions took the overall loss to some 70Ha of strategically important employment land.
- 6.18 These high profile deletions of strategically located employment land took a considerable amount of good quality land away from the supply.
- 6.19 The Spatial Development Strategy in the Publication Draft Plan sought to allocate 165Ha of land in order to achieve 75% employment rate over the Plan Period⁵. The Adopted Plan- following the Inspector’s interventions- reduced its ambitions to just 95Ha of new employment land to achieve the same level of employment outcome⁶. That very nearly halved the available employment land supply, leaving just 57% of the originally proposed allocations.
- 6.20 Aside from the obvious questions about the adequacy of the land supply in the Adopted Plan, this position means that the retained land – including this allocation, and thus this

³ <https://www.westyorks-ca.gov.uk/media/1110/strategic-economic-plan.pdf>

⁴ Page 32 LCR SEP 2016-2036

⁵ Section 6.1 Policies and Strategies DPD Publication Draft Plan.

⁶ Section 6.1 Policies and Strategies DPD Adopted version

application proposal- is critically important to meeting strategic needs in Kirklees. This adds considerable weight to the importance of positively considering this application.

Biodiversity net gain

- 6.21 The proposed development will achieve an exceedance of the current policy requirement for biodiversity net gain, providing well in excess of the forthcoming legal requirement of a 10% uplift.
- 6.22 The proposed development will result in a **66.3% gain** in habitat units, **11.46% gain** in watercourse units and an *“infinite”* gain in hedgerow units.
- 6.23 This proposal offers a major biodiversity benefit which significantly weighs in favour of approving this application. The diversity benefits from this proposal will be very significant when compared to most other developments, as well as all current policy and legal requirements.

7. Planning Balance

- 7.1 This statement has considered the relevant policy and practical issues resulting from the proposed development. It has found that the proposed development accords with the provisions of the adopted and emerging Development Plan. It has also found a number of benefits that weigh in favour of granting permission.
- 7.2 The principle of the development is considered to be acceptable. This application makes best use of a previously developed and allocated site and will secure major visual improvements on this key gateway into both Huddersfield and Mirfield.
- 7.3 The development will help to secure the future of nearly 700 high productivity jobs in a key target sector for Kirklees, in line with the economic strategy. It will also result in an increase of around 100 jobs in Kirklees, producing some £4.5m of GVA in the local economy.
- 7.4 The development will create major benefits in terms of biodiversity net gain, which exceeds all current policy and legal requirements.
- 7.5 The application accords with the Development Plan and major benefits have been identified that weigh significantly in favour of approving the application.
- 7.6 We consider that the presumption in favour of sustainable development applies in this case and, in line with NPPF 11c) and Policy LP1, we conclude that planning permission should be granted “*without delay*”.
- 7.7 We also conclude that the presumption inherent in S38(6) of the Planning Act also applies in this case. The development accords with the Development Plan and no material considerations have been identified that suggest refusal. Indeed, we have identified a number of material benefits that suggest that the balance lies in favour of granting this application.
- 7.8 We, therefore, suggest that planning permission for this important economic development should be granted.

Appendix 1: Policy Analysis

Kirklees Local Plan Strategy and Policies (2019)

The Local Plan was adopted in 2019. The relevant policies and associated response of the applicant are set out in the table below.

Policy	Content	Response
LP1	<p>Presumption in favour of sustainable development</p> <p>When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the proposal or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> a. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; <p>or</p>	<p>The proposed development accords with the policies in the Local Plan. There are no material considerations which suggest it should be refused. Therefore, this application should be approved “without delay”.</p>

Policy	Content	Response
	<p>b. specific policies in that Framework indicate that development should be restricted.</p>	
LP3	<p>Location of new development</p> <p>Development proposals will be required to reflect the Spatial Development Strategy, Policy LP1 Presumption in Favour of Sustainable Development and Policy LP2 Place Shaping. This means:</p> <p>1) Development should reflect:</p> <ul style="list-style-type: none"> a. the settlement’s size and function; and b. place shaping strengths, opportunities and challenges for growth; and c. spatial priorities for urban renaissance and regeneration; and d. the need to provide for new homes and jobs; <p>2) Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way, taking account of the following criteria:</p> <ul style="list-style-type: none"> a. delivering the housing and job requirements set out in the Local Plan; b. the need to maintain a supply of specific deliverable sites, in accordance with national policy and enabling the delivery of allocations set out in the Local Plan or in Neighbourhood Plans; c. ensuring that opportunities for development on brownfield (previously developed) sites are realised early in the plan, subject to 	<p>The application site is brownfield and allocated in the Plan. It provides the opportunity for job growth and investment in an accessible location and will help deliver the job requirements set out in the Plan.</p> <p>The site is located in a strong market location and close to centres of population for both labour and sustainable access to job opportunities.</p> <p>It is considered that the application accords with the principles of this policy.</p>

Policy	Content	Response
	<p>maintaining a five year supply of housing land and to delivering the overall housing and jobs requirements;</p> <p>d. ensuring delivery of housing and jobs in smaller settlements to meet local housing and employment needs;</p> <p>e. ensuring that proposals have regard to connecting links to existing green and blue infrastructure networks;</p> <p>f. co-ordinating housing and employment land delivery with the provision of new infrastructure.</p> <p>g. providing access to a range of transport choices and access to local services.</p>	
LP4	<p>Providing infrastructure</p> <p>The council will work with partners to bring forward the necessary and proportionate essential and desirable infrastructure that is required in order to deliver the spatial strategy as set out in the Local Plan.</p> <p>Essential infrastructure is defined as infrastructure that is required to make development acceptable in planning terms. Desirable infrastructure is described as infrastructure which would improve the capacity and deliver place making benefits.</p> <p>Where new infrastructure is needed to support new development, the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed.</p>	<p>The development will not require any major new infrastructure. It is an allocated site and will rely on extensions of, and shared, drainage, road and power infrastructure.</p> <p>The requirements of this policy have been met.</p>

Policy	Content	Response
	<p>Where new infrastructure is needed, the council will expect phasing plans to be submitted as part of planning applications and where appropriate, will link the construction and occupation of that development to infrastructure provision.</p> <p>New development should contribute to the provision of infrastructure, taking account of local and strategic needs and financial viability. This may be achieved on-site or off-site through planning conditions or legal agreements and/or through contributions to the Community Infrastructure Levy (CIL).</p>	
LP7	<p>Efficient and effective use of land and buildings</p> <p>To ensure the best use of land and buildings, proposals:</p> <ul style="list-style-type: none"> a. should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value; b. should encourage the reuse or adaptation of vacant or underused properties; c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value; d. will allow for access to adjoining undeveloped land so it may subsequently be developed. <p>Housing density should ensure efficient use of land, in keeping with the character of the area and the design of the scheme:</p> <ul style="list-style-type: none"> a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate; 	<p>The site is previously developed, derelict, degraded and contaminated. It is not of high environmental value.</p> <p>It is a preferred location for new development, being allocated in the adopted Plan, and will make efficient use of a finite resource.</p> <p>The terms of this policy are therefore met.</p>

Policy	Content	Response
	<p>b. higher densities will be sought in principal town centres and in areas close to public transport interchanges</p> <p>c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;</p> <p>d. more detailed density requirements may be set out in area actions plans, neighbourhood plans, supplementary planning documents and development briefs, where appropriate.</p>	
LP9	<p>Supporting skilled and flexible communities and workforce</p> <p>The council will work with partners to accelerate economic growth through the development of skilled and flexible communities and workforce in order to underpin future economic growth to deliver the Kirklees Economic Strategy.</p> <p>Wherever possible, proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district with the aim of increasing wage levels and to support growth in the overall proportion of the districts' residents in education or training. Applicants should reach an agreement with the council about measures to achieve this, which could include: provision of specific training and apprenticeships that are related to the proposed development or support other agreed priorities for improving skills and education in Kirklees or the creation of conditions to support a higher performing workforce, increasing productivity and the in work progression of employees. The Council will therefore seek to secure</p>	<p>The development will create new job opportunities, which will address ongoing joblessness issues, which were already endemic but have been exacerbated by the effects of the pandemic.</p> <p>This is a warehouse proposal and it is widely recognised that logistics jobs encourage training and create a wider range of opportunities for career progression⁷. The increasing levels of automation in logistics jobs is actually increasing labour requirements and resulting in more jobs being needed in robotics, IT software and other jobs that require higher functioning inputs.</p> <p>The studies referenced below (see footnotes) predict that automation will actually lead to more employment in higher skilled jobs. The move towards automation will remove the repetitive, low skilled elements of a job, and require higher functioning inputs.</p> <p>This trend will result in a gradual upskilling of the workforce involved in this sector as the automation trend increases. This is a highly</p>

⁷ See for example [GetFile.aspx \(logistics.org.uk\)](http://logistics.org.uk) and [GDS0535-BPF-Delivering-Goods-in-2020_FINAL.pdf \(tritaxsymmetry.com\)](http://tritaxsymmetry.com) and [Automation-and-Logistics-Real-Estate-1-The-State-of-Automation-in-Supply-Chains.pdf \(getbynder.com\)](http://getbynder.com) and [Automation-and-Logistics-Real-Estate-1-The-State-of-Automation-in-Supply-Chains.pdf \(getbynder.com\)](http://getbynder.com)

Policy	Content	Response
	<p>an agreed training or apprenticeship programme with applicants where development meets the following thresholds:</p> <ul style="list-style-type: none"> • 3,500 sq.m. or more of business or industrial floorspace; or • Housing developments which would deliver 60 dwellings or more <p>In instances where the development does not trigger one of the above thresholds then wherever feasible the Council will seek to secure alternative education or training programmes with the applicant.</p> <p>To contribute to skills development, the council will support development which relates to the operational needs of and/or expansion of all of the district's higher, further and specialist education establishments including the University of Huddersfield and Kirklees College.</p> <p>Ancillary and related uses will also be supported providing it can be demonstrated that such uses are:</p> <ol style="list-style-type: none"> a. genuinely linked to the education establishment and its operations; b. in locations where they are compatible with the surrounding land uses; c. in accessible locations which minimise the need to travel; and d. where it does not conflict with the plan's town centre policies or other relevant policies. 	<p>desirable trait in this sector, as it could help to upskill a labour pool affected by traditional industry decline and provide a means of addressing the skill and education deprivation which is currently driving increasing levels of multiple deprivation in Kirklees.</p> <p>In addition, the proposal will help to retain an important local advanced manufacturing occupier, and thus help to retain nearly 700 high productivity jobs in Kirklees.</p>

Policy	Content	Response
	<p>Where appropriate any new or proposed extensions to existing campuses should be guided by a comprehensive, up to date strategy and masterplan.</p>	
LP19	<p>Strategic transport infrastructure</p> <p>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.</p> <ol style="list-style-type: none"> 1. 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; 3. Proposals that may prejudice the future development of the following will not be permitted: <ul style="list-style-type: none"> • strategic transport infrastructure; • identified highway improvements; • traffic management schemes; 	<p>The site is ideally located for the strategic road network. The application will not prejudice the delivery of highways improvements proposed at Cooper Bridge as the access arrangements have been designed to work with future improvement proposals.</p> <p>It is considered that the requirements of this policy are met.</p>

Policy	Content	Response
	<ul style="list-style-type: none"> • proposed public transport facilities, including the improvement of existing rail stations and rail corridors and walking and cycling infrastructure; and • strategic cross boundary schemes. <p>4. National, regional and local transport schemes are identified on the Policies Map and listed below:</p> <ul style="list-style-type: none"> • TS1 A62/A644 Huddersfield to M62 J25 • TS2 New Motorway junction 24a on M62 • TS3 Huddersfield Southern Gateways • TS4 A629 Halifax Road (Huddersfield to Halifax Corridor) • TS5 Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone • TS6 Highway Network Efficiency Programme • TS7 Public Transport Improvement Schemes • TS8 Walking and Cycling Improvement Schemes • TS9 Strategic Road Network Improvements <p>2. The Council will safeguard land to ensure these schemes can be delivered. Detailed transport schemes that require planning permission will have regard to the constraints and considerations as set out in Local Plan such as impact on designated heritage assets and any other environmental impacts.</p>	
LP20	<p>Sustainable travel</p> <p>New development will be located in accordance with the spatial development strategy to ensure the need to travel is reduced and that essential travel needs can be met by forms of sustainable transport other than the private car. The council will support development proposals that can be served by alternative modes of transport such as public transport, cycling and walking and in the case of new residential development is located close to local facilities or incorporates opportunities for day to day activities on</p>	<p>The site is within easy walking distance of bus stops on Cooper Bridge Road and Leeds Road. These buses provide frequent access to Huddersfield, Leeds and other local destinations.</p> <p>Pedestrian access from nearby residential areas is feasible and cycle parking will also be provided as part of the development.</p> <p>The application is accompanied by a travel plan, which will encourage the appointment of a travel plan co-ordinator who will explore the best options to achieve a modal shift on the site, including providing</p>

Policy	Content	Response
	<p>site and will accept that variations in opportunity for this will vary between larger and smaller settlements in the area.</p> <p>The council will support demand management measures which discourage single occupancy car travel within new development and encourage the use of low emission vehicles to improve areas with low levels of air quality. Proposals should include measures to encourage the use of sustainable travel options, including public transport, the promotion of personal journey planning, walking, cycling, car sharing, electronic communication and home working.</p> <p>Travel plans will normally be required for all major planning applications in accordance with current guidance and should set targets and monitoring arrangements to ensure sustainable travel patterns are maintained. Travel plans should include agreed and defined outcomes related to a package of specified measures to be implemented including an approach to lower carbon emissions where applicable.</p> <p>The requirement of a travel plan will also be considered on case by case basis where the proposed development falls below the major application category where it has the potential to generate significant transport movements and/or has insufficient off-street parking within the vicinity of a stressed part of the highway network</p> <p>Proposals for new development shall be designed to encourage sustainable modes of travel and demonstrate how links have been utilised to encourage connectivity. Proposals will be required to facilitate the needs of the following user hierarchy:</p> <p>a. pedestrians</p>	<p>travel information, arranging walking and cycling buddies, joining the travel plan network, promoting car sharing and operating a cycle to work scheme.</p> <p>The requirements of this policy have been met.</p>

Policy	Content	Response
	<ul style="list-style-type: none"> b. cyclists c. public transport d. private vehicles 	
LP21	<p>Highways and access Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users</p> <p>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.</p> <p>Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network.</p> <p>All proposals shall:</p> <ul style="list-style-type: none"> a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network; b. where needed, provide new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles; c. be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation, providing detail as to the impact on highway safety, air quality, noise and light restrictions; d. take into account changes in site levels and topography to ensure the development can be accessed easily and safely by all sections of the community and by different modes of transport; 	<p>The application is supported by a travel plan that will encourage a range of sustainable travel measures in order to encourage a modal shift on this site.</p> <p>The transport effects of the application are minimal and will not result in severe residual cumulative impacts. The development will not harm the safe and efficient flow of traffic and no new infrastructure requirements have been identified, other than those needed to support pedestrian cycle and public transport users.</p> <p>Air quality, noise and transport effects are considered in detail elsewhere in this statement and the effects were found to be acceptable.</p> <p>The requirements of this policy are considered to have been met.</p>

Policy	Content	Response
	<p>e. take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;</p> <p>f. take into account access for emergency, service and refuse collection vehicles;</p> <p>g. provide on-site safe, secure and convenient cycle parking/storage facilities to encourage sustainable travel modes.</p>	
LP22	<p>Parking The provision of parking will be based on the following principles:</p> <p>a. in town, district and local centres, car parks close to the main shopping area will be for short-stay use and peripheral car parks for long stay use;</p> <p>b. long stay parking in town centres will be reduced progressively in conjunction with improvements to sustainable transport opportunities, where appropriate;</p> <p>c. provision of private non-residential parking in town centres will not be permitted unless it can be demonstrated that it is required for operational reasons. Where such provision is permitted appropriate arrangements will need to be put in place to provide management arrangements consistent with public parking in the centre;</p> <p>d. provision of residential parking schemes within town centres for private vehicles/motorcycles/and cycles will be permitted; where appropriate and where schemes can be shown to enhance residential developments in the town centre;</p> <p>e. car parking provision in new developments will be determined by the availability of public transport, the accessibility of the site, location of the development, local car ownership levels and the type, mix and use of the development;</p>	<p>The indicative layout for this development shows 143 car parking spaces. Disabled spaces will be provided inline with relevant standards. As this is an outline application, those details will be refined through reserved matters proposals and will accord with the councils parking standards at that time.</p> <p>Cycle parking will also be provided in line with the council's guidelines.</p> <p>It is considered that the requirements of this policy have been met</p>

Policy	Content	Response
	<p>f. new developments will incorporate flexibly designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking within the site including a mix of on and off street parking in accordance with current guidance;</p> <p>g. provision will be made to meet the needs of cyclists for cycling parking in new developments;</p> <p>h. provision will be made to accommodate the needs of disabled people for the parking of vehicles.</p> <p>All proposals shall provide full details of the design and levels of proposed parking provision. They should demonstrate how the design and amount of parking proposed is the most efficient use of land within the development as part of encouraging sustainable travel.</p>	
LP24	<p>Design</p> <p>Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.</p> <p>Proposals should promote good design by ensuring:</p> <p>a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;</p>	<p>The proposed development will represent good design for industrial and warehousing development. The form, scale and layout of the buildings will be determined through reserved matters, but will respect the surrounding context and will meet the operational requirements of the occupier.</p> <p>The proposed development will encourage walking and cycling through the provision of appropriate infrastructure, and will minimise resource use by recycling previously developed land.</p> <p>Provision will be made for the separate storage of waste streams, and the buildings will be resilient to flood risk with appropriate attenuation measures defined through a detailed design exercise when reserved matters applications are submitted. An appropriate</p>

Policy	Content	Response
	<p>b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;</p> <p>c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;</p> <p>d. high levels of sustainability, to a degree proportionate to the proposal, through:</p> <p>i. The re-use and adaptation of existing buildings, where practicable;</p> <p>ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;</p> <p>iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;</p> <p>iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;</p> <p>v. providing charging points to encourage the use of electric and low emission vehicles;</p> <p>vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;</p> <p>vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;</p>	<p>level of parking, including disabled spaces and cycle parking will be provided.</p> <p>it is therefore considered that the application represents good design and accords with the provisions of this policy.</p>

Policy	Content	Response
	<p>viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.</p> <p>e. 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;</p> <p>f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;</p> <p>g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;</p> <p>h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;</p> <p>i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and</p> <p>j. the provision of public art where appropriate.</p>	
LP27	<p>Flood risk</p> <p>Proposals for development which require a Sequential Test in accordance with national planning guidance will need to demonstrate that development has been directed to areas at the lowest probability of flooding, following a sequential risk based approach. The whole Kirklees district should be the starting point for the sequential test with applicants required to provide justification where a smaller area of search is proposed. If following application of the sequential test, there are no reasonably available sites which could accommodate the development in zones with a lower</p>	<p>The application is accompanied by a flood risk assessment. The site is in Flood Zones 2 and 3. The development will attenuate surface water flows to ensure that there is no greater risk the flooding in the river catchment area.</p> <p>The sequential test was satisfied through the allocation of the site and an exceptions test is not required. The development will also include vegetation planting, which will help improve catchment management, flood risk and water quality.</p>

Policy	Content	Response
	<p>probability of flooding, it should also be demonstrated that a sequential approach has been applied within sites. This is to ensure that highly vulnerable and more vulnerable uses are directed towards the areas of lowest flood risk within the site. Proposals will also need to demonstrate that the exception test is passed, where applicable, as set out in national planning policy.</p> <p>Proposals within flood zone 3ai will be assessed in accordance with national policies relating to flood zone 3a but with all of the following additional restrictions:</p> <ul style="list-style-type: none"> a. no new highly vulnerable or more vulnerable uses will be permitted; b. less vulnerable uses may only be permitted provided that the sequential test has been passed and; <ul style="list-style-type: none"> i. where extensions are linked operationally to an existing business or, ii. where redevelopment of a site provides buildings with the same or a smaller footprint; c. all proposals will be expected to include flood mitigation measures such as compensatory storage which should be identified and considered through a site specific Flood Risk Assessment; d. development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role. 	<p>It is considered that the requirements of this policy have been met.</p>

Policy	Content	Response
	<p>Proposals must be supported by an appropriate site specific Flood Risk Assessment in line with national planning policy. This must take account of all sources of flooding set out in the Strategic Flood Risk Assessment and demonstrate that the proposal will be safe throughout the lifetime of the development (taking account of climate change). The proposal must also not increase flood risk elsewhere and where possible should reduce flood risk. Mitigation measures, where necessary, should be proposed.</p> <p>Proposals involving building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.</p> <p>Proposals for natural management such as targeted vegetation planting in upper catchments and along river banks will be supported in appropriate locations where consistent with national and local plan policies and relevant water catchment management plans to reduce flood risk and improve water quality.</p>	
LP28	<p>Drainage</p> <p>The presumption is that Sustainable Drainage Systems (SuDS) will be used to assist in achieving the following on each site:</p> <ul style="list-style-type: none"> a. for proposals on greenfield sites, typical greenfield run-off rates should not be exceeded; b. for proposals on brownfield sites there should be a minimum 30% reduction in surface water run-off where previous positive surface water connections from the site can be proven. New connections will be subject to at least greenfield restrictions; 	<p>The development will be subject to detailed design at the reserved matters stage. However, it is currently envisaged that some elements of sustainable drainage system will be included in the design.</p> <p>The Flood Risk Assessment demonstrates that greenfield run off rates will be achieved, with an appropriate allowance for climate change.</p>

Policy	Content	Response
	<p>c. No negative impact on local water quality and improvements in water quality where practicable; d. Consider whether proposed open spaces and green infrastructure within sites can contribute to the sustainable drainage of the site.</p> <p>Local conditions including the existence of critical drainage areas may require a lower run-off rate to be agreed to reflect volume control, local surface water risks, water course capacity and flood risk further downstream.</p> <p>There will be a general presumption against pumping surface water. It must also be demonstrated that the surface water management solution is designed to meet requirements over the lifetime of the development including evidence that management and maintenance arrangements have been secured to cover that period. This includes ensuring proposals to store water meet national standards and latest best practice.</p> <p>Flow paths accommodating water from outside the site or due to an exceedance event should be designed to avoid buildings and curtilages.</p> <p>Development will only be permitted if it can be demonstrated that the water supply and waste water infrastructure required is available or can be co-ordinated to meet the demand generated by the new development.</p>	<p>The development site will be managed to remove the potential for negative impacts on water quality and there will be no additional risk of downstream flooding.</p> <p>It is currently envisaged that all drainage systems will run by gravity.</p> <p>There are no known capacity issues with water supply or waste water infrastructure.</p> <p>It is therefore concluded the requirements of this policy have been met.</p>
LP30	<p>Biodiversity & Geodiversity The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats</p>	<p>This application is accompanied by an ecological assessment.</p>

Policy	Content	Response
	<p>and Species of Principal Importance and the Kirklees Wildlife Habitat Network.</p> <p>.....</p> <p>Biodiversity and Development Development proposals will be required to:- (i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement; (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist; (iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term; (iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and (iv) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.</p>	<p>This demonstrates that there will be no significant impacts on biodiversity and that no protected species will be harmed as a result of this development.</p> <p>The reports set out various mitigation measures that can be required by condition. Therefore, it is considered that the requirements of this policy have been met.</p>
LP32	<p>Landscape Proposals should be designed to take into account and seek to enhance the landscape character of the area considering in particular: a. the need to protect the setting and special qualities of the Peak District National park, views in and out of the park and views from surrounding viewpoints;</p>	<p>This application is accompanied by a landscape strategy.</p> <p>The site is not within a special or protected landscape designation, and the change to landscape character in the area, resulting from this application, will be minimal but positive – as a result of removing a derelict site from this prominent location.</p>

Policy	Content	Response
	<p>b. the setting of settlements and buildings within the landscape; c. the patterns of woodland, trees and field boundaries; d. the appearance of rivers, canals, reservoirs and other water features within the landscape.</p>	<p>It is therefore considered that the requirements of this policy have been met.</p>
LP33	<p>Trees The Council will not grant planning permission for developments 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.</p> <p>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 to be acceptable, developers will be required to submit a detailed mitigation scheme.</p>	<p>This application is accompanied by an arboricultural impact assessment. It shows that the development will not have significant impact on trees. Indeed, the proposal will result in additional tree planting which will benefit wildlife connectivity, green infrastructure provision and biodiversity net gain.</p> <p>The terms of this policy are therefore met.</p>
LP34	<p>Conserving and enhancing the water environment Proposals must:</p> <ol style="list-style-type: none"> 1. Ensure no deterioration of water courses or water bodies (including groundwater) by conserving and, where practicable, enhancing: <ol style="list-style-type: none"> a. the natural geomorphology of watercourses, including reinstating watercourses to their natural state through removal of modifications resulting from past industrial uses; b. water quality; and c. the ecological value of the water environment, including the functionality of habitat networks. 	<p>The development will not result in any deterioration in the quality of water courses or groundwater. The site will be subject to any necessary remediation to remove potential contamination that could be mobilised to the water environment and will therefore likely benefit water quality in the wider area. This policy is therefore complied with.</p>

Policy	Content	Response
	<p>2. Ensure Source Protection Zones are protected from contamination as a result of the proposal in line with national guidance.</p> <p>3. Dispose of surface water appropriately (in accordance with the Local Plan drainage policy) adhering to the following networks in order of preference:</p> <ul style="list-style-type: none"> a. to an infiltration based system wherever possible (such as soakaways); b. discharge into a watercourse with the prior approval of the landowner, navigation authority or Environment Agency, where applicable. To comply with part 1 of this policy this must be following treatment where necessary or where no treatment is required to prevent pollution of the receiving watercourse; c. discharge to a public sewer. <p>Proposals are encouraged to:</p> <p>4. Make positive progress towards achieving 'good status or potential' under the Water Framework Directive in surface and groundwater bodies.</p> <p>5. Manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling as well as considering water availability from surface water and groundwater sources.</p> <p>6. Improve water quality through the incorporation of appropriately constructed and maintained Sustainable Drainage Systems and surface water management techniques taking into account the sensitivity of groundwater.</p>	

Policy	Content	Response
LP51	<p>Protection and improvement of local air quality</p> <p>1. 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.</p> <p>2. 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.</p> <p>3. Where the development introduces new receptors into Air Quality Management Areas or Areas of Concern or near other areas of relatively poor air quality, for example near roads or junctions, the development must incorporate sustainable mitigation measures that protect the new receptors from unacceptable levels of air pollution. Where sustainable mitigation measures cannot be introduced which prevent receptors from being exposed to unsafe levels of air pollution, development will not be permitted.</p>	<p>The application is accompanied by an air quality assessment, which concludes that the development will not result in unacceptable levels of air pollution.</p> <p>The development will increase vehicle movements, but the level of change is not significant. The site is not an air quality management area or other area of concern related to poor air quality, but nearby areas will not see any negative impact as a result of this development.</p> <p>However, the air quality assessment sets out a range of mitigation measures which can be required by condition. The requirements of this policy are therefore complied with.</p>
LP52	<p>Protection and improvement of environmental quality</p> <p>Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have</p>	<p>The application is also accompanied by a noise assessment. This shows that sensitive receptors are not likely to be adversely affected by the development.</p> <p>The application is accompanied by an air quality assessment, which sets out mitigation measures- including means of controlling dust and fine particulates during the construction stage.</p>

Policy	Content	Response
	<p>been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.</p> <p>Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted. Where possible, all new development should improve the existing environment.</p>	<p>The development is not likely to have an impact on the quality of life and well-being of people in the local area as a result of increased pollution. It is considered that this policy is complied with.</p>
LP53	<p>Contaminated and unstable land 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.</p> <p>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. Such developments which cannot incorporate suitable and sustainable mitigation measures which protect the well-being of residents or protect the environment will not be permitted.</p>	<p>The application site has a history of previously contaminating uses, including waste water treatment.</p> <p>The end use is not sensitive and there is considered to be minimal risk for workers on the site. Appropriate working measures during construction can be secured by condition to ensure that this remains the case. It is therefore considered that the requirements of this policy have been complied with.</p>

Kirklees Local Plan Allocations and Designations (2019)

The Local Plan was adopted in 2019. The relevant policies and associated response of the applicant are set out in the table below.

Policy	Content	Response
LP64	<p>Employment allocations:</p> <p>The sites listed below are allocated for employment uses (as defined above) in the Local Plan. Planning permission will be expected to be granted if proposals accord with the development principles set out in the relevant site boxes, relevant development plan policies and as shown on the Policies Map. Proposals for office use on these allocations, that are not considered as ancillary would need to comply with Policy LP13 of the Local Plan.</p>	<p>The application site is identified as an employment allocation in the plan and, in principle, it is considered that this application should be approved in line with policy LP64.</p> <p>The detailed site requirements that also need to be complied with are considered below.</p>
ES9	<p>4.26 Ha- developable area reduced to take account of flood zone 3ai and an area of BAP Priority Habitat and Wildlife Habitat Network</p> <p>Constraints:</p> <ul style="list-style-type: none"> • Additional mitigation on the wider highway network will be required • Part of site is within flood zone 3 • Surface water issues • Potentially contaminated land • Potential for noise impact • Air quality issues • Site is within an Air Quality Management Area • Site is within the Wildlife Habitat Network 	<p>The site is within the Outer Zone of a hazardous pipeline. The HSE land use planning methodology suggests that development of the sensitivity proposed would not receive an Advise Against recommendation from HSE. It is therefore considered to be safe and appropriate for this development to proceed. The council will no doubt check this outcome through the PADHI+ system</p> <p>The application has taken into account the list of constraints noted in the policy.</p> <p>Each of these relevant constraints has been addressed through a suitable technical report and no issues have been identified which suggest that the development could not proceed.</p> <p>The application would exceed the indicative capacity stated in this policy. This, however, is considered to be a benefit. The application will provide additional floor space at a time of high demand when a number of other allocated sites have either already been developed or are not capable of meeting the locational requirements of modern occupiers, despite the plan being adopted fairly recently. This is also a</p>

Policy	Content	Response
	<ul style="list-style-type: none"> • Part of this site lies within a UK BAP priority habitat • Site is close to listed buildings • Site affected by hazardous installations / pipelines <p>Indicative capacity: 14,910 sqm</p> <p>Reports Required:</p> <ul style="list-style-type: none"> • Transport Assessment • Travel Plan • Flood Risk Assessment • Surface water drainage report • Contamination report (Phase 1 and 2) • Air Quality Impact Assessment • Noise assessment • Health Impact Assessment <p>Other site specific considerations:</p> <ul style="list-style-type: none"> • This location is identified in the Leeds City Region Strategic Economic Plan and in the Kirklees Economic Strategy. 	<p>response to the direct needs of an important local employer in a key sector identified as being important in the local economic strategy.</p> <p>The application is not accompanied by a Health Impact Assessment, as it is not considered to be relevant to the proposed development. Health impacts will only arise through the combination of factors which are separately assessed in other individual reports. These include transport, air quality and noise. None of those reports found any meaningful impact and therefore a combined assessment is also unlikely to identify any health concerns arising from the proposed development.</p> <p>The application also includes measures to enhance biodiversity; prevent pollution of the water environment, and there will be no impact on the amenity of nearby residents.</p> <p>The application is an extension of an existing business. There is no wider development proposed, so it is considered that a wider master planning exercise would add nothing to the development management process.</p>

Policy	Content	Response
	<ul style="list-style-type: none"><li data-bbox="367 272 1120 371">• Proposals should indicate how the place shaping strengths, opportunities and challenges can be addressed through reference to policies in the Local Plan<li data-bbox="367 411 1120 478">• Residential amenity will need safeguarding through sensitive siting of buildings and landscape buffer areas<li data-bbox="367 518 1120 585">• A masterplan is required for this site to be prepared in accordance with policies in the Local Plan	

