

Consultation Response from KC, Highways Development Management (HDM)
2023/93077 At land off Westgate, Cleckheaton, BD19 5DR

Discharge of conditions 6 (phasing plan), 7 (Phase II report), 8 (Remediation Strategy), 11 (CEMP), 12 (watercourse assessment), 13 (temporary drainage), 14 (flood routing), 15 (discharge rate), 16 (retaining walls and features), 18 (invasive species), 19 (drainage in highway), 20 (CEMP: Biodiversity) and 21 (highway condition surveys) of previous permission 2021/93567 for demolition of existing commercial buildings and erection of 180 dwellings with associated works

Date Responded: 07/03/24
Responding Officer: A Darwin
Responding Ref: K9-3SW/6

Overview

An application has been submitted to discharge conditions 6, 7, 8, 11, 12, 13, 14, 15, 16, 18, 19, 20 & 21 of previous permission 2021/93567. Of these conditions, elements of conditions 6, 11, 16, 19 & 21 fall within the remit of HDM. The Planning Officer is advised to seek the opinion of other interested consultees regarding other conditions and elements not related to highways and transportation matters.

HDM have provided a previously consultation response dated 04/12/23, which recommended that the pre-commencement element of Condition 21 (Highway condition surveys and remediation) could be discharged. However, further information/amendments were requested in relation to Condition 6 and 11 for further consideration by HDM.

It was also recommended that Conditions 16 & 19 that relate to highway structures could not be discharged at that time, as the necessary details had not been agreed with the Highway Structures team. It is understood that the applicant and planning case officer have been consulting directly with Highway Structures in relation to these conditions, and HDM have no further comments on these matters.

To address the comments previously provided by HDM (and other consultees) in relation to Condition 6 (Phasing) and Condition 11 (CEMP), the applicant has provided the following additional information:

- Updated Construction Management and Mitigation Plan (CMMP) document, dated Jan. 2024;
- Updated Production Management Plan (PMP) drawing, ref. BY0999 - PMP – 001 Rev F, dated 13.12.23;
- Supporting email dated 17/01/23 identifying the changes that had been made to the two above documents.

HDM have now reviewed the revised information in relation to Condition 6 and 11, with further comments/recommendations below:

HDM Comments/Recommendations

Condition 6 - Phasing

The main element of Condition 6 that is in the remit of HDM are the '*road stages*'. The applicant has now submitted revised information on the updated '*Production Management Plan*' (PMP) drawing (ref. BY0999 - PMP – 001 Rev F, dated 13.12.23) to address the outstanding issues previously identified by HDM.

The PMP plan now shows turning provision for each phase, which is acceptable. The plan key also now indicates that 'footpaths' (this should read 'footways') that will be delivered with each road phase, as well as the timing for the delivery of the PROW links. Therefore, the submitted plan is acceptable in principle and is satisfactory to address condition 6 from a HDM perspective.

However, there are a number of problems with the plan, which should be corrected and/or addressed in any DoC letter as follows:

- The key colour for phase 2 (Red phase up to Dec 26) is wrongly shared black, and should be corrected.

- The shared area for Phase 1 (Yellow phase up to Dec 25) is wrong, as it does not include the footways and parking laybys.
- Whilst the plan may be otherwise acceptable to address condition 6, the plan is also intended to include details that are required by condition 11 (See further comments below), which are not acceptable.

Therefore, the phasing principles suggested on the PMP plan are acceptable. However, the PMP plan should be corrected before being accepted as an approved plan, to address the above issues and other outstanding issues relating to condition 11 below.

Condition 11 - CEMP

HDM previously raised various issues with the CMMP document and PMP drawing previously submitted by the applicant to discharge condition 11, and a revised document and plan has now been provided (it is noted that comments on these documents have also been provided by the Planning Officer and Environmental Health Team, highlighting other matters to be addressed not raised by HDM).

Unfortunately, the revised information fails to adequately address the issues raised by HDM (and others). Therefore, it is recommended that condition 11 is not discharged at this time.

With the revised submission, the applicant provided comments regarding each of the outstanding issues in an email to the planning case officer dated 17/01/24, stating how they had addressed each point. The applicants comments are provided below, with a response from HDM to each point as follows:

Point 11a, Phasing:

Applicant Response: *'Please find via the WeTransfer link the drawing titled: 'Batch Plot Release Plan (Dwg: BY00099-PMP-002 Rev: D.' This plan identifies the phasing of development and the dates works are expected to commence.'*

HDM Response: As confirmed in relation to Condition 6, the proposed 'road phasing' is now acceptable in principle. However, there are errors on the PMP drawing that should be corrected.

Point 11b, Hours of works:

Applicant Response: *'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).' Page 6 states that the hours of operation are to be 07:30-18:30 Monday to Friday and 08:00am-13:00 on Saturdays.'*

HDM Response: HDM have no specific comment on this point, as this response addresses comments made by others. However, HDM note that the hours of operation have been amended as stated above, and are acceptable to HDM.

Point 11c, Construction access:

Applicant Response: *'Please find via the WeTransfer link the plan titled: 'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F).' This plan identifies the visibility splays and swept paths for construction vehicles confirming that all construction vehicles can safely enter and leave the development.'*

HDM Response: The PMP drawing suggests that construction access may be via the S38 site access, but this is not clearly stated on the drawing or in the CMMP document. There are also a number of other outstanding issues as follows:

- No details of the construction access arrangements have been provided (e.g. is the S38 access going to be fully implemented as the construction access, and if not, what works are proposed?).
- Visibility splays have been indicated on the plan, but they bear no resemblance to what is actually required.
- Contrary to the applicants response, no swept path analysis has been provided for construction traffic at the site access (see further comments below regarding Point 11d).

In light of the above, adequate information has not been provided.

Point d, Construction vehicle sizes and routes:

Applicant Responses:

'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'. Page 10 confirms the maximum size of a construction vehicle is to be 3.4m & the maximum weight is to be 17,000kg.'

'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'. Page 9 identifies the traffic routing arrangement for all vehicles entering and leaving the site.'

HDM Response: The traffic routing is now acceptable. However, the information on page 10 is inadequate, as it only confirms the likely max. height and weight of vehicles. Further information is required to confirm the actual sizes (e.g. length, width) and type (articulated, rigid & draw-bar HGV, crane etc.) of vehicles that will be utilized. Swept path analysis is then required for the largest vehicles to confirm that they can be safely access and circulate within the site.

Point e, Number and times of construction vehicle movements:

Applicant Response: *'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'. On page 6, the text has been amended to state 'The arrival, departure, loading and unloading of all goods vehicles, waste vehicles and other construction traffic movements must take place within the standard site working hours, unless otherwise approved by the Local Planning Authority. Should it be necessary for any construction traffic movements to occur outside of standard site working hours, these must be agreed in writing in advance with the Local Planning Authority.'* On page 9, the report states *'HGV traffic will avoid smaller residential streets and within sensitive periods such as school start and finish times.'*

HDM Response: The additional text has been added to the CMMP document and is now acceptable.

Point 11f, Locations of HGV waiting areas and management:

Applicant Responses:

'Please find via the WeTransfer link the plan titled: 'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)'. This plan identifies the number of allocated car parking spaces for both operative parking and construction traffic.'

Response: Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'. Pages 10 & 11 notes that directional signage is to be implemented throughout the development.'

HDM Response: The additional text in the CMMP document confirming that directional signage will be provided is now acceptable in principle. However, the PMP does not clearly show any area for construction traffic waiting, and the CMMP document still refers to goods vehicle parking in the 'Production Car Park' (which is not even referenced on the PMP plan). Therefore, adequate information has not been provided in relation to HGV waiting areas and management throughout the build process.

Point 11g, Parking for construction workers:

Applicant Response: *'Response: As stated within comment 1 for condition 6, the position of the contractor car park has been selected so we can access it early on in our development. This will ensure construction workers and vehicles have allocated car parking spaces and will therefore not impact neighbouring roads. As seen on the attached document titled: 'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)', the plan identifies the number of allocated car parking spaces for both operative parking and construction traffic which can be safely accommodated.'*

HDM Response: The PMP drawing now confirms that 30 car parking spaces are to be provided for Staff/Contractors, and directional signage to these facilities will be provided. Whilst this provision may be adequate, typical/peak usage has not been provided to confirm this, nor has a layout that can accommodate 30 cars/vans been demonstrated. It is also unclear if the area is also proposed to be used for goods vehicle waiting (See above Point 11f), which would clearly not be suitable. Therefore, adequate information has not been provided regarding parking for construction workers (and other visitors).

Point 11h, Loading and unloading of plant and materials:

HDM previously commented that:

The CMP confirms that loading/unloading will only occur within the site, which is acceptable. However, further information should be provided to confirm how these activities will be managed (e.g. presumably a booking in/out system will be employed, and loading/unloading taking place in locations authorised by the site manager, and supervised as necessary).

No response to the above was provided in the applicants supporting email. However, page 10 of the CMMP now states: 'All unloading and loading of materials will be monitored through a booking in system by the Site Manager.'

The CMMP also confirms that directional signage will be provided relating to loading. Therefore, the additional text has been added to the CMMP is now acceptable. However, the waiting areas and management need to be clarified (See Point 11f).

Point I, Storage of plant and materials:

As confirmed in the previous HDM consultation response, the CMMP document confirms that all plant and materials will be stored in the relevant secure compound areas, which is acceptable.

Point 11j, Signage:

Applicant Response: 'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).' Pages 10 & 11, states signage will be included for pedestrian and construction vehicle routes, parking, waiting areas, loading/storage areas, site speed limits and contact details for the Site Manager.'

HDM Response: The additional text has been added to the CMMP and is now acceptable.

Point 11k & L

HDM have no specific comment on these points, as they have been considered by other consultees.

Point 11m&n, Measures to minimise the deposit of mud, grit and dirt on public highways, including wheel washing facilities; and Point 11n Street Sweeping.

Applicant Responses:

'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).' Pages 12 & 13 states all mitigation measures for mud, grit and dirt on public highways.'

'Please find via the WeTransfer link the plan titled: 'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)' which identifies the location of the wheel washing facilities on site.'

'Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).' Page 12 states contracted road sweeping during the winter months will occur daily as and when required. However, in the summer this will occur every two weeks in good weather.'

HDM Response: The further information included in the CMMP document and PMP plan goes some way to addressing the issues previously raised by HDM. However, the procedures and management practices are still not considered to be robust for the follow reasons:

- The frequency of street cleaning only refers to daily during the winter (when required) or every two weeks in the summer in good weather. What would happen at other times (e.g. spring/autumn) and when the weather is not 'good'. It is unclear how ad-hoc/reactive street cleaning would take place at other times, when unexpected incidents may occur.
- The location of the jet wash immediately adjacent to the Westgate junction is likely to be problematic, with mud/debris deposited on the site access road in a hazardous location.
- The CMMP states that 'a wheel wash will be used for all vehicles as soon as practicable'. This is not acceptable, and robust wheel washing facilities are required from commencement of construction activities.

Point 11o, p, q & r

HDM have no specific comment on these points, as they have been considered by other consultees.

Point s, Site manager and resident liaison officer contact details, including details of their remit and responsibilities:

Applicant Response: *Please find via the WeTransfer link the report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'. Page 11 states that 'Contact details for the Site Manager will be available on the board displayed outside the Production Hub. The Site Manager has not yet been allocated for the site. If resident's wish to contact Strata, please email enquiries@strata.co.uk.'*

HDM Response: The further details provided are still vague, as it is unclear where the 'production hub' is (there is no other mention of this in the document or plan). There is also no details of how this information would be advised to the Local Planning Authority, and kept up to date, which will be necessary should any issues need to be addressed.

Point u, Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts:

Applicant Response: *'Please find via the WeTransfer link report titled: 'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'. On page 18, it clearly states that 'Strata will monitor the local area of the site for future developments which are to come forward and will liaise with them accordingly.'*

HDM Response: The additional text has been added to the CMMP document and is now acceptable.

HDM Conclusion/Recommendation regarding condition 11:

As previously stated above, the submitted CMMP document and PMP drawing do not currently include adequate detail to address the requirements of condition 11, as described above. Therefore, it is recommended that this condition is not discharged at this time.