

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

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

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2024/62/91189/E
Site Address:	Oakroyd Hall, West Yorkshire Fire And Rescue Service Headquarters, Bradford Road, Birkenshaw, BD11 2DY
Description:	Enabling landscaping and engineering works
Recommending Officer:	William Simcock

DECISION – Full Permission – Approve

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

Victor Grayson

AUTHORISED OFFICER

Date: 12/08/2024

**Officer Report 2024/91189
Oakroyd Hall, West Yorkshire Fire and Rescue Service Headquarters,
Bradford Road, Birkenshaw, BD11 2DY**

Enabling landscape and engineering works

Site Description

This application relates to three parcels of land within a site used by the West Yorkshire Fire and Rescue Service as headquarters and a training centre.

The wider site is currently undergoing redevelopment, this being the implementation of permissions 2022/92681 – the HQ application, and 2022/92718 – the RTC yard application.

These are located immediately to the south of the Oakroyd Drive entrance off Bradford Road in the northeast of the site, and two smaller parcels of land near the southwestern corner of the site, one just to the right of the Whitehall Road West entrance and one 100m in.

Description of Proposal

The site benefits from two extant permissions (refs: 2022/92681 – the HQ application, and 2022/92718 – the RTC yard application) for the redevelopment of the site to provide modern regionally-important fire and rescue service infrastructure. Two separate applications have been submitted alongside this application to update approved information relating to the HQ and RTC sites. As elements of these works fall outside of one or both of those red line boundaries, the applicant has found it necessary to submit this application for enabling works to support the delivery of those works.

A masterplan has been submitted with this application (Masterplan-S4-C12) for the benefit of the LPA, which sets out all of the amendments proposed across the three application site areas to enable the works and the relevant red line boundaries to be fully understood.

The matters that are being applied for under this application comprise:

- A 1.1m high pedestrian highway barrier and pedestrian access point via a turnstile; part of which would be within the red line for the HQ application.
- A new footpath is proposed on the line of existing road kerb along the internal road, which runs along the eastern side of the parade ground. This area also crosses into the RTC yard site area. The footpath would be created on the current road surface to minimise excavation in the root protection areas.

- A new crossing is additionally proposed with blister paving, located to the northeast of the parade ground. Part of this area falls outside of the HQ application boundary and as such is included in this application.
- At the northern edge of the new fire station, the existing embankment requires regrading to facilitate the new access gates proposed within the Section 73 application for the HQ site, submitted alongside this application. No trees are required to be removed to facilitate the changes, however additional measures have been included in the submitted Arboricultural Impact Assessment Addendum (ref: D8808.04.100) which would ensure that any risks during the construction are mitigated against.
- The proposals also include the removal of the staircase to the northeast of the Whitehall Road access, and the extension of the low-level retaining wall. The grass verge would also be improved with some additional landscaping. The alterations extend partly outside of the HQ red line boundary and are therefore shown in the new full application boundary.

History of negotiations/amendments received

None.

Relevant Planning History

2022/91138 – Demolition of existing training centre and occupational health buildings, erection of new headquarters including indoor training centre, extension of existing building to form new fire station, extension of car parking and associated landscaping and drainage – Granted.

2022/92681 – Variation condition 2 (plans) on previous permission 2022/91138 for demolition of existing training centre and occupational health buildings, erection of new headquarters including indoor training centre, extension of existing building to form new fire station, extension of car parking and associated landscaping and drainage – Granted.

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2022/92681 – Variation of condition 2 (plans) on previous permission 2022/91138 for demolition of existing training centre and occupational health buildings, erection of new headquarters including indoor training centre, extension of existing building to form new fire station, extension of car parking and associated landscaping and drainage – Granted

2022/92716 – Discharge of conditions 3 (Construction Management Plan) and 12 (surface water discharge) of previous permission 2022/91138 – Withdrawn.

2022/92881 – Discharge of condition 17 (Arboricultural Method Statement) of previous permission 2022/91138 – Withdrawn.

2022/93052 – Discharge of conditions 10 (Mine Shaft Remediation), 13 (Drainage) on permission 2022/92681 for variation conditions 2 (plans), 3 (CMP), 4 (LEDS), 8 (BEMP) 12 (Drainage), 17 (AMS), 22 (Phase II Intrusive Investigation), 23 (Remediation) on previous permission – Final recommendation stage.

2022/93582 – Discharge conditions 22 (Verification Plan) 23 (Remediation Strategy) on previous permission 2022/91138 – Granted.

2024/91185 – Variation of conditions 2 (plans), condition 15 (Car Park Management Plan) and condition 28 (vehicle audible warning systems) of previous permission 2022/92681 for variation of conditions 2 (Plans), 3 (CMP), 4 (LEDS), 8 (BEMP) 12 (Drainage), 17 (AMS), 22 (Phase II Intrusive Investigation), 23 (Remediation) on previous permission 2022/91138 for demolition of existing training centre and occupational health buildings, erection of new headquarters including indoor training centre, extension of existing building to form new fire station, extension of car parking and associated landscaping and drainage. *Awaiting determination.*

2024/91186 – Variation condition 2 (plans and specifications), 14 (Landscape Plan) on previous permission 2022/92718 for demolition of fire training building, extension and landscaping of RTC yard, including erection of fuel pump and tank, bin store and dog kennels, recladding of the BA building and erection of an enclosed link between BA and TRTC, provision of a new sub-station and new boundary treatments, retaining and landscaping works. *Awaiting determination.*

Representations

Final publicity date expired: 26/06/2024 (publicity by neighbour letter only in accordance with the requirements of the Development Management Procedure Order, since the proposal is classed as a minor application and the

works proposed are considered too small-scale to have any impact on the setting of any nearby Listed Buildings.)

No representations were received from third parties.

Consultation Responses

- KC Trees (informal consultation only): No objections raised.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27/02/2019).

The site is without designation on the Local Plan. The following constraints are noted:

- The site is within a Coal Referral Area
- Part of the wider site is potentially contaminated
- Area Tree Preservation Orders close or adjacent to site
- Bat alert layer
- Grade II Listed buildings (Oakroyd Hall and monument) in vicinity of site

Local Plan:

LP 1: Presumption in favour of sustainable development

LP 2: Place shaping

LP 20: Sustainable transport

LP 21: Highways and access

LP 22: Parking

LP 24: Design

LP 30: Biodiversity and geodiversity

LP 33: Trees

LP 52: Protection and improvement of environmental quality

LP 53: Contaminated and unstable land.

Supplementary Planning Documents:

- KC Highway Design Guide SPD
- Biodiversity Net Gain Technical Advice Note
- Climate Change Guidance for Planning Applications

These documents can also be viewed in [G:\Planning\SPDs & Guidance Notes](#).

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 05/09/2023, the Planning Practice Guidance Suite (PPGS) first launched 06/03/2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Requiring good design
- Chapter 15 – Conserving and enhancing the natural environment.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity (including any heritage considerations)
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without designation in the Local Plan. The development would in principle be of benefit to the general public as it would assist in the delivery of an essential emergency service. The merits of the proposal will, however, need to be carefully assessed having regard to the aims of the Local Plan and NPPF guidance listed above, dealing with visual amenity, highway safety and environmental issues.

2 – Impact on visual amenity:

It is considered that the proposed works consisting of:

- Pedestrian barrier and turnstyle.
- A new footpath along internal road.
- A new crossing northeast of the parade ground.
- Regrading of existing embankment.
- Removal of the staircase to northeast of the Whitehall Road access, extension of low-level retaining wall and additional landscaping of grass verge.

Would have very limited impact on the character of the area, since most of the changes would not be prominent from public viewpoints. Regarding the works near the Whitehall Road access, the existing retaining wall is approximately

400-500mm in height and made of mortared stone, and the works would involve extending it around the junction on the eastern side to infill a gap between the stone wall and the higher brick retaining wall. This, and the additional landscaping works, would bring about a small improvement to the appearance of the site when viewed from Whitehall Road West.

Two Grade II Listed buildings (Oakroyd Hall and fireman's monument) are in the vicinity of the site but it is considered that the nature and scale of the works proposed would have no impact on their setting.

In conclusion, it is considered that all of the proposed works would at least conserve, if not enhance, the visual amenity of the area in accordance with the aims of Local Plan policy LP24(a) and that no specific conditions regarding design or materials (other than a condition requiring the materials for the extended stone retaining wall to match the existing).

3 – Impact on residential amenity:

It is considered that none of the proposed works would result in harm to residential amenity and would therefore accord with the aims of Local Plan policy LP24(b).

4 – Impact on highway safety:

The proposed works would improve internal access arrangements, especially for pedestrians, and as such would be of benefit to the safety of site users, whilst having no material impact upon the safe and convenient use of the highway for other parties. It would thereby comply with the aims of Local Plan policies LP20 and LP22.

5 – Other matters:

Trees and biodiversity:

The proposals are considered immaterial from the point of view of conserving and enhancing biodiversity within the site and the wider area, and if anything would represent a small net benefit owing to the additional soft landscaping. It is considered that it would not prejudice the retention of any valued trees. These matters will, where appropriate, be given more detailed consideration within the two linked applications for the wider site, refs: 2024/91185 and 2024/91186.

Climate Change:

On 12/11/2019, the council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies.

It is considered that in the circumstances, as the proposed works are very small-scale, the applicant does not need to demonstrate further measures to combat climate change and the proposal is deemed to be in accordance with the aims set out above, and set out in NPPF Chapter 14.

Coal mining legacy:

The site lies within a Coal Referral Area. Since none of the works now proposed involve the erection of new buildings or other structures requiring deep foundations, and as the issue of coal mining legacy will already have been investigated in the context of the 2022 permissions for the site, land instability arising from coal mining legacy is not considered to be a concern for this application.

6 – Representations:

No representations were made.

7 – Conclusion:

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

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Conditional full permission

Decision Authorisation: Delegated Powers

Application Number: 2024/91189

Officer Recommendation: CONDITIONAL FULL PERMISSION

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24(a) of the Kirklees Local Plan.

3. The external materials used on the extension to the highway retaining wall at the Whitehall Road West access shall in all respects match those used on the existing highway retaining wall.

Reason: In the interests of visual amenity and local character and to accord with Policy LP24(a) of the Kirklees Local Plan.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: There is the potential for a bat roost to be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			26/04/2024
Location plan	HQC004-BBA-Z0-XX-DR-L01070 P01		26/04/2024
Proposed site plan	HQC004-BBA-Z0-00-DR-L-1084 P01		26/04/2024
Landscape masterplan			26/04/2024
Landscape masterplan 3	HQC004-BBA-Z0-00-DR-L-1073 P04		26/04/2024
Turnstiles specification	GMC 4000		26/04/2024
Technical note – biodiversity net gain evaluation	8808.04.001		02/05/2024
Supporting letter			26/04/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer did not undertake negotiations with the applicant as no amended plans or additional information were considered necessary.

Report dated: 02/08/2024