



National Highways Planning Response (NHPR 25-01) Formal Recommendation to an Application for Planning Permission

From: Graeme Watt (Head of Planning & Development)
Operations Directorate
Yorkshire & Northeast Region
National Highways

Email: BMTadminsupt@nationalhighways.co.uk

To: Kirklees Council FAO William Simcock
Email: dcadmin@kirklees.gov.uk

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: 2025/92161

Location: Land adj, 17, Whitehall Road West, Birkenshaw, BD11 2LS

Proposal: Discharge of details reserved by conditions 4-8 (intrusive investigations), 11 (Remediation Strategy and Verification Report), 12 (CEMP), 13 (noise), 14 (Arboricultural Method Statement), 15 (CMP), 16 (highway), 17 (visibility), 18 (Safety Audit), 19 (estate streets), 20 (waste collection), 21 (surface water attenuation), 24 (bin storage), 25 (bicycle storage), 26 (drainage), 28 (drainage), 29 (CEMP: Biodiversity), 30 (landscape), 34 (solar panel array), 35 (materials), 38 (boundary treatments) on previous permission 2024/92281 for erection of 23 dwellings

National Highways Ref: NH/25/12510

Referring to the consultation on a planning application dated 15 August 2025 referenced above, in the vicinity of the M62 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);

~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to BMTadmins@nationalhighways.co.uk

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Signature	Date: 16 September 2025
Name: Paula Bedford	Position: Planning & Development
National Highways Calder View House Wakefield WF2 7UA	

¹ Where relevant, further information will be provided within Annex A.

Annex A National Highways' assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Recommended Temporary Non-Approval

It is recommended that the application should not be approved until the applicant has provided further information to fully satisfy the requirements of the conditions noted below:

Condition 15 - Prior to development commencing, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

- i. A timetable of all works,
- ii. Details of point(s) of access for construction traffic,
- iii. Vehicle sizes and routes,
- iv. Times of vehicle movements, including how the plan will seek to reduce construction traffic at peak hours,
- v. Parking for construction workers,
- vi. The loading, unloading and storage of materials and plant within the site,
- vii. Signage,
- viii. Wheel washing facilities within the site and/or other measures to prevent mud and debris being deposited on the public highway

It is considered that there is insufficient evidence provided with regard to how the plan will seek to reduce traffic movements via the SRN during peak hours.

I am unable to view the proposed signage strategy but would reiterate that signing on the SRN is strictly not permitted.

In addition, whilst it is noted that on site wheel wash facilities are to be provided there is no reference to how the site will manage the potential for debris on the public highway. Will there be a monitor and clean regime in place, and if so, how will this be deployed or will laden HGVs be sheeted? This should be made clear in the construction management plan.

Condition 28 - Before development commences above foundation level, a detailed maintenance and management regime for the storage facility including the flow restriction shall be submitted to and approved in writing by the Local Planning Authority. This shall include a risk assessment applied prior to a method statement consisting of a schedule and itinerary of tasks including access to and into the specific attenuation and flow control arrangements for this site. The approved maintenance and management scheme shall be implemented thereafter.

It is noted that the Applicant has submitted the following statement:

The concrete sectional tank is to be adopted by Yorkshire Water under a S106 agreement. Therefore, we do not need a maintenance and management regime in place.

However, it is unclear if Yorkshire Water are also adopting the hydro brake flow control that will restrict surface water run-off to 6l/s. As riparian owners of the downstream watercourse this particular element of the strategy is of particular interest to National Highways, and we seek surety that an appropriate management and maintenance regime will be in place. The Applicant is asked to clarify this position and provide relevant information on the management & maintenance scheme.

Reasons: In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the motorway drainage asset in accordance with DfT Circular 01/2022.

I will re-visit this recommendation no later than 17 November 2025

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.