

**From:** Kate Mansell  
**Sent:** 24 May 2022 12:08  
**To:** Sally Miles; Gemma Davis  
**Cc:** Victor Grayson  
**Subject:** 2021/92603

Dear Sally,

Further to our recent conversation, as discussed, I will be leaving my role at Kirklees Council today. Prior to my colleague taking over this application, I thought it would be helpful to summarise the current position.

As you know, the Council wrote to you in December 2021 setting out various matters that required further information/clarification before a view could be taken on the current proposal. A further submission was then made on 22<sup>nd</sup> March 2022 comprising a revised set of plans and supporting documentation.

Whilst I am still awaiting several formal consultation responses to this revised submission, I thought it might be helpful to set out some initial issues that have been identified within the latest information that still require clarification before the Council can proceed to any recommendation.

I do not intend to comment further on the principle of development, which remains as per my letter of December 2021. In essence, the principle of developing this allocated employment site (along with the unallocated piece of land) for a major employment use within Use Class B8 to the extent proposed would be acceptable in principle, subject to the gas pipeline issue being addressed and if the scheme protected Green Belt function through landscape mitigation, including the buffer, and subject to an assessment against all other relevant policies within the Local Plan and relevant National Guidance, including a full appraisal of the impact of the proposal on the living conditions of nearby occupiers.

### Highways

I note your recent communication received 19<sup>th</sup> May 2022 confirming that one of the documents enclosed within the Revised Transport Assessment contained an error. Appendix H of the Revised Transport Assessment includes a Proposed Site Layout and associated Ground Floor Plan (dated 09 February 2022) with the dock doors labelled and colour coded. I understand that docks 25-61 were incorrectly annotated as 37 van docks whereas docks 25-61 are HGV docks. This has been corrected on the drawing dated 03 May 2022.

To clarify, the distribution of dock door types as proposed would be as follows:

- HGV Docks: 82
- Van Docks: 6
- Waste Docks: 3
- Ramp Access/Roller Shutters: 2

The plan and covering letter have been uploaded onto the Councils website and forwarded to Highways Development Management for information. I also welcome your written confirmation within the TA that there would be no delivery of goods direct to customers from this site.

Furthermore, I note that clarification has been provided by email on 17 May 2022 by Vectos confirming that the HV Switch room was incorrectly shown on the site access drawings contained within the Transport Assessment, and that it has not been moved from the west side of the site access to the north side of the service yard access road, as shown on the site layout plans.

There are, however, several further matters where clarification and further information is necessary, particularly in relation to staff numbers, shift patterns and traffic distribution.

In terms of clarity, as you know, at the same time that the revised documents were submitted, Amazon issued a press release confirming that once operational, the proposed Amazon facility at Cleckheaton would initially support around 1500 -1700 permanent jobs rising to 2000 to 2400 jobs over a three-year period. I understand that this is accounted for within the revised TA, but it is not entirely clear. This has implications for other submitted documents, including the Noise Assessment and Air Quality Impact Assessment. It is therefore appropriate that the TA provides greater clarity on the basis upon which it has been undertaken regarding staff numbers and shift patterns in particular. This matter is further highlighted below.

Additionally, in my view, the TA is not sufficiently clear in relation to trip distribution and how much traffic will be utilising the Whitechapel Road and Whitehall Road access points. I note that there are various traffic distribution diagrams within the TA, but I would expect a table in the TA clearly setting out the number of vehicles using each access point, particularly Whitechapel Road at shift changeover. Furthermore, I think that it would be helpful to local residents to understand how the traffic generation may or may not impact upon community facilities such as local schools and whether there would be any significance increase in traffic around key 'walking to school' routes. It would be helpful if these key locations were mapped as part of a traffic distribution diagram so that the impact can be fully considered.

The Council's Highways Development Management Officer has also raised several matters relating to the traffic assessment that we have already discussed but which I feel it would be helpful to set out in writing:

#### Development specific trip rates and staff numbers/shift patterns

The operator specific trip rates have been based on peak (December 2021) operational data at an Amazon fulfilment centre site in Durham, which the RTA states is similar to the proposal site. However, from the evidence available to the Council, it appears that the proposal site may be circa 43% larger than the Durham site (266,075sq.m GFA at proposed site compared to 185,800sq.m at Durham) and may include circa 30% more loading docks (82 at proposed site compared to 63 at Durham).

Therefore, this suggests that a larger and more intensive development is proposed. However, the RTA suggests that staff number will be only marginally higher at the proposal site during seasonal peaks (circa 5.6% increase, based on 900 at proposed site compared to an average of 852 at Durham) and that HGV numbers will be the same at all times of the year (less than previously advised in original TA's).

Further explanation is required to confirm matters, to ensure a robust assessments of trip generation is undertaken, which should include a similar level of information to that provided within TRICS.

The following information is sought (not necessarily an exhaustive list) regarding the Durham site to allow further consideration of the operator specific trip rates:

- GFA.
- No. of loading docks and other servicing facilities (e.g., HGV parking bays, van bays etc).
- No. of parking spaces (all types).
- FTE Staff numbers and confirmation that the site has reached full maturity/operational capacity. A seasonal staff profile would also be helpful, to understand the extent of seasonal peak operation (assumed to be all of November and December).
- Commentary on why the Durham site has been selected for survey and not a more local site. I assume this is based on its large scale and use (e.g., fulfilment with no last mile?).
- Comparison of the site's accessibility compared to proposal site (e.g., public transport availability, walking/cycle population within catchment etc).
- Person trip rate data would also be helpful, as well as mode split data (I assume this is available from the sites Travel Plan?).

Please provide further clarity regarding the shift patterns and staff numbers (at opening and full maturity at 3 years), with comparison between the existing Durham site and the proposal site (no shift times are currently stated). It is important for Officers to understand seasonal variation and staff that do not work standard shifts patterns (e.g., it is assumed that not all staff will work 4x10hr standard shifts, including office staff, evening maintenance/cleaning/catering etc and others working reduced hour shift patterns).

#### Traffic Growth

HDM have reviewed the TEMPRO growth rate data provided, and the methodology appears correct and is agreed. However, HDM have been unable to exactly replicate the growth rates, which appears to be due to the household and employment data being different in the Council's version of TEMPRO (version 7.2c using Dataset '70'). Therefore, clarification of the dataset used would be helpful. It is noted, however, that the difference in growth rates is minimal and not a material issue.

#### Committed Development

I understand that the commitment developments are in the process of being reviewed and any revised TA will address this matter further, including an on-going review of relevant (or otherwise) committed developments in Calderdale and Bradford.

A full response from Highways Development Management will then be forthcoming in due course. This will include further comments on the site access and internal arrangements, which are not currently acceptable. These comments will be provided once all internal highways consultations have been received and the additional operator information has been provided.

#### Environmental Health

The Council's Environmental Health Team have reviewed the revised AQA, Noise Impact Assessment and Lighting Assessment but they still have several concerns regarding the submitted documents. Their response is attached.

In summary, the Air Quality Assessment by Tetra Tech (ref: 784-A117502) (dated: 22<sup>nd</sup> February 2022) is not accepted for the following reasons:

- It is unclear why two damage cost calculations have been undertaken using predicted trip rates taken from two different transport assessment models which have two very different percentage HGV inputs.
- No explanation has been given as to which of the two damage costs are to be adopted going forward.
- It is understood that further transport assessment work may be required. There are concerns that the traffic figures used in the air quality model are therefore incorrect. Clarification is required for this point or the AQA will need to be updated on this matter subject to any further TA work.
- The assessment should provide a fully costed breakdown of the mitigation measures that would be implemented, which equates to the value of the calculated damage costs.

Concerns are also highlighted with the Noise Assessment, summarised below:

- Whilst the Noise Assessment and modelling shows there to be minor impact, this is a cumulative impact of all traffic across all the approaches to the site and not specific to this location. It cannot be disputed that the high number of vehicles leaving the site within such a short timeframe may lead to a loss of amenity. This has not been considered in the assessment and the noise contour plot in figure 5.2 does not reflect this specific and localised issue. Without this specific matter being addressed in a Noise Assessment, EH Officers cannot comment further on the impact the development may have on the amenity of the occupiers of neighbouring properties. An alternative would be to reconsider the spread of shift patterns thus reducing the number of vehicles movements in any short period of time, but this would be for the applicant to decide upon.

The Odour Assessment is not accepted at this time and the following further clarification is required:

- The location of the kitchen extract system in relation to sensitive receptors on which the assessment has been based has been omitted. The report refers to the location of the staff cafeteria kitchen being in the southwest of the building as identified in drawing no. 7384-SMR-00-GF-DR-A-2117-S3-P8. However, the plan does not appear to reflect this proposed facility and requires further clarification.
- From the risk assessment, the report recommends either fine filtration or Electrostatic Precipitation (ESP) followed by carbon filters. Whilst it is appreciated that at this stage, the exact details of the kitchen extract system may still be unknown Officers will require the details of the exact specification of the kitchen extract system, including details of all the major components. In addition, all the major components should ideally be shown in a schematic diagram. Officers would also expect to see the details of the termination flue and a plan showing its location in respect to the roofline of the building.
- Whilst Officers accept that a maintenance program has been provided in the report, it is very generic. Therefore, once the details of the kitchen extraction system are known, a maintenance program, specific to each of the components would be expected. If the proposal was to be recommended for approval, I would anticipate that this is a matter that could be conditioned.

The Dust Assessment for the construction phase and Lighting Impact Assessment are both acceptable. It is also acknowledged that should the application be recommended for approval, a condition pertaining to a Phase 2 Report would be accepted and therefore no further response on contaminated land matters is necessary.

Based on the above, given that a key consideration in the determination of this application is the effect of the proposal on the living conditions of surrounding properties, we will not be able to reach a conclusion on this matter until this further clarification is provided.

### Design and Landscape

I have requested that our Landscape Team review the LVIA, and their response will be forwarded to you in due course. I would note that visualisations for Year 10 were requested to understand the mid-term impact of the proposal, which do not appear to have been provided. It would be helpful to understand if that were an oversight or intended, but I would suggest that the response from the Landscape Officer is awaited before undertaking any further assessment on this point.

In the interim, I would comment that in my view, the starkest 'view' is from Viewpoint 13B (along Whitehall Road). Would there be any opportunity to soften the appearance of the very prominent retaining wall structures for the short- medium term impact with Green Walls or other such planting?

I note that Northern Gas Network have an outstanding objection to the proposal on the grounds that the protection given to their plant may be diminished by the works. NGN note that there are specific building proximity distances for individual pipelines, which are dependent on pre-defined risk levels and the type of development. I understand that you are liaising with them, but I would advise that this matter needs to be resolved prior to any recommendation/determination.

### Response to Climate Change

The applicant's decision to refine the detailed design to target achieving Zero Carbon Certification in line with the International Living Future Institute (ILFI) Zero Carbon Certification programme is welcomed. In the event of a positive recommendation, the Council would look to condition the targets (rather than the Certification) that would be sought through the Certification programme with further information to be secured by condition.

In this regard, the introduction of an extensive Photo Voltaic (PV) solar panel array across most of the main building roof is also a positive and welcomed change from the scheme previously submitted. Officers have previously requested consideration of a green roof across the main roof in addition to the solar panels, to contribute to Biodiversity Net Gain. I appreciate that the application states that the installation would require alternative construction methods to bear the increased load, and this would have the effect of increasing the height of the building and reducing the overall sustainability of the scheme, which I do understand although this calculation is not set out in detail, which would be helpful.

Furthermore, the Planning Statement notes that a green roof on the main building would also prejudice the delivery of the level of PV array proposed. However, there is, in fact, a body of evidence that combining solar panels and vegetation can provide a range of benefits, including the following:

- Assisting in the efficiency of solar panels because the micro-climate around the panels is important. The green roof element can have a cooling effect, especially in summer and panels can lose efficiency if they are too hot.

- The PV panels can increase the diversity of vegetation and fauna using the green roof as they provide areas of shade and damp behind them.

The LPA would welcome your further response on this point.

### Biodiversity

I am awaiting a response from the Council's Bio-diversity Officer on the revised submission and the LPA will respond on this matter in due course.

### Jobs and Employment

The Council's letter of December 2021 requested further information about skills/levels of employment opportunities at this site. I appreciate that some further information has been provided in the Socio-Economic Statement: Addendum. However, this document provides very generic information. It merely states that a variety of permanent positions and fixed-term contracts would be available.

It would be more helpful for the LPA to understand in greater detail the composition of these roles in relation to, for example, what broad percentage of jobs would be:

- Managerial
- Professional
- Technical
- Administrative
- Skilled trades
- Process, plant, and machine operatives
- Other or job types as relevant to the proposal.

This information would assist to provide the LPA with a better understanding of the range of jobs that would be delivered at this site and how the building functions.

In terms of future opportunities, should this application be recommended for approval, the creation of opportunities for local residents/businesses through the construction and operational phase would be sought, including a commitment to apprenticeships/work experience and college/university placements. This is a matter that the Council would look to secure through a S106 legal agreement following discussion with our Business and Skills Team.

### Public Rights of Way

I have still not received any formal comment from the Council's PROW team. However, it is very clear that should the development be recommended for approval, it would require the stopping up or diversion of the public footpath crossing the site (as would most likely be the case for any employment development on this site). This would obviously be a separate application for an order to divert the public footpath at the site, to be considered outside of the planning process.

### Way Forward

Outstanding statutory and non-statutory consultations will be forwarded in due course. In the meantime, it would be helpful if the above outstanding information could be submitted as soon as possible and at least by the end of June 2022 so that the Council can reach a conclusion on this

scheme. Please be mindful that a further consultation is likely to be necessary on any revised submission, which will clearly impact on timescales in the long-term. I hope this response is useful in the interim.

Kind Regards,

Kate

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