

**KIRKLEES COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
HIGHWAYS DEVELOPMENT MANAGEMENT**

PLANNING REF 2018/70/93229/W0/AW
CATEGORY Minor

PROPOSAL VARIATION CONDITION 10
(VEHICULAR ACCESS AND
EGRESS) ON PREVIOUS
PERMISSION 2016/93676 FOR
ERECTION OF TWO DETACHED
DWELLINGS WITH GARAGES
LOCATION LAND ADJACENT, 2, HOLLY
MOUNT,
NEW MILL ROAD,
WOOLDALE,
HOLMFIRTH,
HD9 7LT
APPLICANT PARAGON HIGHWAYS

HDC Ref. No. K12-6/21
Highway Officer Chris Bembridge
O. S. Ref. 150 093
Date Received 29/10/2018
Target Date 19/11/2018
Date Returned 08/01/2019
Decision
Route No. A635
Road Name NEW MILL RD
Adopted Yes
Footpath No
Highway scheme No

Potential Committee

Local Plan Allocation

Checked by / date Anita Thomas 30/10/2018

This application is for the variation of condition 10 (vehicular access and egress) on previous permission 16/93676.

The original permission requested in condition 10 that the installation of "one way flaps" were made for the access/egress from the parking area as this was to be done as two separate access points on to A635 New Mill Road. It has recently been advised to the applicant by the provider and installer of the flaps that their use at this location wouldn't be suitable due to the angle that vehicles would have to cross the flaps and the requirement for a separate pedestrian access to the site if flaps were installed. The variation of condition is to remove the requirement for the flaps and replace them with signs and markings within the car parking area.

The signs would only be advisory and have no legal authority as a TRO sign would have and because of this there would be no legal requirement for the signs to be obeyed by drivers using the accesses making them possibly ineffective. However it should be noted that it is unlikely that drivers would deliberately put themselves in peril by not observing the signs and the use of signs and markings are better than an unmarked access.

Fortunately the development is expected to generate only a small number of vehicle trips during the day and so the opportunity for conflict will be quite low.

It has been noted by an objector that the installation of the flaps would also require warning signs advising of slow speeds and that the absence of the flaps and therefore the signs would remove any advance warning of the access from oncoming traffic. This would be incorrect as the warning signs would have been installed adjacent to the flaps and would warn drivers to pass over the flaps at slow speed and are not an advance warning of the access to oncoming traffic. There is no formal requirement to warn drivers of the presence of a junction between a private property and the public highway and the Department for Transport's "Traffic signs, Regulations and General Directions" document does not contain any suitable signs because of this.

It would have been preferable to have had a single double width entry/exit at the southernmost part of the development site as this would have provided the maximum visibility for both exiting vehicles and

**KIRKLEES COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
HIGHWAYS DEVELOPMENT MANAGEMENT**

PLANNING REF 2018/70/93229/W0/AW
CATEGORY Minor

also southbound vehicles on A635 to be able to react to slowing/turning vehicles going in to the site, which would always be a concern with the proposed arrangement. This would have meant a complete re-design of the site so as to be able to provide the levels of development requested or would have removed the off road parking for the adjacent property and as the development is almost completely built out this solution is no longer available.

With this the HDM team consider that the alternate provisions suggested would be suitable for a variation of condition 10 on previous permission 16/93676. We would request that a clause is added to the variation of condition to ensure that the signs and markings are maintained to a suitable standard and condition for the lifetime of the development.
