

**Consultation Response from KC,  
Highways Development Management**

**2020/90450 land at, Owl Lane, John Ormsby V C Way, Shaw Cross, Dewsbury, WF12 7RQ**

**Erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works.**

**Date Responded: 19/01/21**

**Responding Officer: Mark  
Berry**

**Responding Ref: 15-12/21**

Further to the Highways Development Management (HDM) consultation response dated 23<sup>rd</sup> March 2019 regarding this site.

The main conclusion of the previous consultation response was that HDM had several significant concerns regarding this proposal which included:

1, The scope of the Transport Statement was not agreed with Highways Development Management. The Transport Statement provided deals with several issues including planning history, access arrangements, servicing, drive thru operations and capacity, comparison with permitted scheme and parking.

Highways Development Management considered this site to be on a sensitive part of the highway network and consider that a Transport Assessment should have been provided which should include junction assessment.

The following junctions should have been assessed.

Owl Lane/ B6128

Owl Lane/ A653 Leeds Road

A653 Leeds Road/B6128

2, A stage 1 Safety Audit was needed for both the site access junction from Owl Lane and internal layout.

3, The Council needed to safeguard land for a potential junction improvement at the A653 Leeds Road/B6128 junction.

The applicants have provided additional information regarding the above points as follows:

1, Kirklees Council provided the applicants consultant ADL with a copy of their “Challenge Way Junction – Junction Assessment Technical Note” dated July 2020. This showed that the proposed changes had been assessed for the 2024 and 2030 scenarios using TRANSYT software for the existing and proposed layouts, including the committed developments in the area.

Following discussions it was agreed that the Council’s own consultants, SWECO, who are dealing with the assessment of the proposed changes to the Shaw Cross junction would be best placed to assess the McDonald’s impact, as it could be input directly into the existing model and re-run, to ensure a consistent approach in terms of assessing the junction and development in the area. Traffic distribution diagrams were provided for SWECO, for the AM and PM peak periods used in the model.

Following review of all the results it was determined that the modelling process has shown the traffic associated with the proposed McDonald’s restaurant could be accommodated at the Challenge Way junction

2, A satisfactory Road Safety Audit with Designer’s Response has been provided. The RSA recommends some minor works and tactile paving to the adopted road leading into the site to improve pedestrian access.

3, Regarding the proposed changes to the Shaw Cross junction, Kirklees Council have supplied a

drawing to ADL showing the latest scheme configuration and this has been merged with the current McDonald's layout to provide a composite plan showing both McDonald's and the Council's proposals.

Based on this plan all the land needed for the proposed improvement scheme is included within existing adopted highway.

These proposals are now considered acceptable to HDM.

Suggested conditions

#### **Layout, parking and access**

Notwithstanding the details shown on the approved plan , a scheme detailing arrangements and specification for layout, parking and access (including works to improve the pedestrian dropped crossing identified in the Road safety Audit) have been submitted to and approved in writing by the Local Planning Authority. Prior to the restaurant being brought into use occupied the development shall be completed in accordance with the details shown on the approved plans and retained thereafter.

Reason: To ensure a suitable access and layout in the interests of highway safety

#### **Construction access**

Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the LPA. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the LPA, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

#### **Retaining Walls**

Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls/ embankments supporting the A653 Leeds Road and B6128 John Ormsby VC Way including any modifications to the existing embankment shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development

Reason: To ensure that any new retaining structures do not compromise the stability of the highway

#### **Footnote;**

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 Scene: 01484 221000) regarding 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.