

**Consultation Response from KC,
Highways Development Management**
2021/91229 Near Law Slack Farm, Penistone Road, Hepworth, Holmfirth, HD9 2TR
Demolition of existing dwelling and erection of detached dwelling
Date Responded: 18/05/21 Responding Officer: CNB Responding Ref: K12-2/10

This application is for the demolition of an existing dwelling and the erection of a replacement detached dwelling with parking and using an existing farm access on to B6106 Penistone Road, a 60mph two-way single carriageway rural distributor road of approximately 6.5m width with no footways or street lighting but with grass verges. The road hosts an infrequent bus service but there are no local bus stops.

There is a fallback position (20/92945) that involves extensions and improvements to the existing dwelling.

No trip generation details have been provided with the application, however as a "like for like" application we do not expect any additional trips to be generated. The current proposals are expected to generate less trips than the fallback position proposals.

The access to the current dwelling is to be closed and the kerb line reinstated and the existing farm access for Law Slack Farm is to be used as access to the proposed dwelling. The closure of the existing access to the dwelling should be conditioned.

The farm access is situated further away from the bend on B6106 Penistone Road which would increase visibility to the left and would be a benefit to road safety. The existing farm access would experience an intensification of use, however there are no records of injury accidents on Penistone Road at the access and so it is assumed to be operating safely and the intensification of use is not expected to change this.

Drawing No 19/582/06 shows the location of two off street parking spaces and these are acceptable for the proposals. The parking spaces should be surfaced with a permeable finish to national guidance, and this should be conditioned.

The application form stated that there would be a bin collection point adjacent to the farm access, this is not on the drawing and will need to be clearly marked to show it will not obstruct the access or the adopted highway for road safety reasons. This should be conditioned.

With this we consider that the application is acceptable on highways grounds with the following conditions.

Conditions

No part of the approved dwelling shall be occupied until the existing access from the old dwelling has been permanently closed [and any redundant footway crossings removed and the footway reinstated] and the new access has been constructed and brought into use in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason: To ensure a suitable layout in the interests of highway safety and to avoid danger and inconvenience to highway users.

Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout

Before development commences, details of suitable storage, bin presentation points and access for collection of wastes from the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: In the interests of amenity and highway safety and to meet the requirements set out in Local Plan Policy LP24 part d(vi).

Footnotes

The approved vehicle parking areas will need be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded.

www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

The type and number of bins required should be in accordance with guidance supplied by the Kirklees Cleansing Department in the document "Waste Storage and Collection Guidance for New Developments" which is available at <https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx>.

The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.