

**Consultation Response from KC, Highways Development Management**
**2021/94280 land at Lady Ann Road, Soothill, Batley, WF17 0PY**
**Erection of 67 dwellings with associated works**
**Date Responded: 20/01/22**
**Responding Officer: A Darwin**
**Responding Ref: HDC 13-10NE/14**
**RECOMMENDATION: Further information required**

Further information is required regarding the following issues, which are detailed in the main body of the report:

- A Travel Plan with associated measures to facilitate and encourage sustainable transport is required;
- An up to date Transport Statement report is required;
- Amended site access proposals are required that will allow a refuse vehicle to turn safely to/from the site, when cars are parked opposite the junction. Further details of the access are also required, particularly relating to the bridge crossing of the beck;
- Various amendments to the site layout and parking provision are required, with amended plans including construction details and Swept Path Analysis (SPA). Once agreed in principle, the site access and internal layout must be subject to a Stage 1 Road Safety Audit prior to determination;
- The link to PROW BAT/20/20 should be provided for pedestrian and cycle use (min. 3m wide), and must connect to the adopted highway within the site;
- Improvements at the Lady Ann Road / Soothill Lane junction are required, to improve junction visibility and address parking issues. Once agreed in principle, the works must be subject to a Stage 1 Road Safety Audit.

**Development Overview:**

This is a full Planning Application for the development of 69 residential dwellings on land to the west of Lady Ann Road, Soothill, Batley, WF17 0PY.

The site is allocated in the Local Plan (Site HS74) for residential development, with an indicative capacity of 97 dwellings.

A number of planning applications (2017/91851, 2019/92462 & 2020/93071) have been submitted at the site for similar residential development proposals, which have either been refused or withdrawn, with one of the reasons for refusal being insufficient information relating transport and highways matters. The latest application submission has not responded to all of the matters previously identified by HDM, and these outstanding matters have been reiterated in this response.

**Reference to Plans/Documents:**

- Design & Access Statement – Rev A – November 2021;
- Transport Statement – Produced May 2017 and updated December 2019 (No further update has been provided for the current application);
- Proposed Site Plan - 10703-SELF-P-XX-DR-A-002.

**Policy:**

Local Plan Policies – LP5, LP19, LP20, LP21, LP22, LP23, LP24; Kirklees Highway Design Guide SPD, Housebuilder Design SPD, NPPF.

Reference should also be made to the Councils latest S38 design guides, including the guidance entitled 'Emergency Access, Waste Management, Servicing and Deliveries – April 2020 (version 1)', which provide detailed requirements relating to the highway and development layouts.

#### **Adoption Issues:**

The internal layout shall be built to adoptable standards, as set out in the Kirklees Highway Design Guide SPD and Highways Guidance Note – Section 38 Agreements for Highway Adoptions March 2019 (version 1) and associated documents. At present it appears that an adoptable standard layout is not provided (see specific design comments later in this response).

At present, there is a private drive shown at the northern end of the site serving units 32-36. This also provides access to the pedestrian link to PROW BAT/20/20 that runs along the northern boundary of the site. It is requested that the private drive is amended to adopted highway to ensure that the link (min. 3m wide pedestrian/cycle link) connects to the adopted highway. This would also allow the 4 No. visitor parking bays shown on the private drive to be available for public use by all development users (this also applies to the private drive serving 70-71 and the associated visitor parking space, which should be replaced by adopted highway for this reason).

#### **Accessibility and Sustainable Transport:**

As the site is allocated in the Local Plan for residential development, the potential accessibility of the site was assessed as part of this process and is considered to be acceptable, subject to the development providing necessary improvements to public transport, walking and cycling.

As the development includes over 50 dwellings, a Travel Plan is required. However, this has not been included within the submission and must be provided for review by HDM.

A package of Travel Plan measures need to be incorporated into a Travel Plan, to facilitate and encourage sustainable transport and minimise single occupancy car trips from the development.

Following consultation with the West Yorkshire Combined Authority (WYCA), it is recommended that the developer provides either a Sustainable Travel Fund or the Residential MCard scheme for the site. The cost of either option would be approximately **£34,270.50**, which equates to bus only Residential MCards. The Travel Plan should confirm the specific measures that are to be incorporated at this site and how the Travel Plan fund is to be allocated, for further consideration by HDM.

Kirklees Council will require a Travel Plan monitoring fee to be secured as part of the S106 agreement. For a development of this scale (classed as a 'small scale major residential development') the fee is **£10,000.00** (£2,000 per year for 5 years).

#### **Public Transport:**

Lady Ann Road is a bus route, which is served by the 212/212A bus services that operates between Dewsbury and Wakefield at a 60 minute frequency. As confirmed by WYCA, the bus availability for the site is considered to be acceptable.

As confirmed by WYCA, the closest bus stop on Lady Ann Road is stop 16161 (for services towards Batley/Dewsbury), which would benefit from the installation of a Real Time Information battery display at a cost to the developer of **£10,000.00**. This improvement should be secured by S106 agreement.

In order to access the above bus stop, safe and direct pedestrian links are required, included dropped crossing provision.

**PROW, walking and cycling:**

The Public Rights of Way (PROW) team have been consulted and their formal comments are awaited.

Public footpaths BAT/20/20 runs along the northern boundary of the site and connects Howley Street to Primrose Hill to the west, with Lady Ann Road to the east. A new pedestrian link has been shown from the site to this PROW, which is welcomed. This will provide a direct link to Batley Town Centre, via Howley Street, which connects to Rutland Road via a manned/gated crossing of the Leeds-Manchester railway line. It is noted that there is a current planning application pending to replace the existing railway crossing with a new footbridge and ramps, which may further enhance this pedestrian route.

Whilst a pedestrian link has been shown from the site to Footpath BAT/20/20, it is recommended that this route is widened to a minimum of 3m and provided as an adopted Bridleway, to allow cyclists to safely use this route and access the railway crossing (where they will need to dismount to cross the railway). The new bridleway link will also need to connect to the adopted highway within the site. Therefore, as previously stated, it is requested that the private drive at the north of the site is replaced by an adopted highway, or other alternative arrangements proposed to meet this requirement.

Within the vicinity of the site, Lady Ann Road has footways on both sides. Further to the south, the footway provision reduced to a single footway on the west side of Lady Ann Road, to the south of the Primrose Hill junction, before returning to footways on both sides to the south of the West Street junction. The footway on the west side of Lady Ann Road provides a continuous route to the Soothill Lane junction to the south, providing access to Batley Town Centre, and also provides access to Footpaths BAT/38/60 & BAT/38/30 that also lead to Batley Town Centre via subway links under the railway. The footway provision on Lady Ann Road is below the desirable minimum width of 2m, but as there does not appear to be scope to widen the footways, they are considered to be adequate to serve the development.

At the northern end of Lady Ann Road, there is a bridleway (within the Leeds district) that links to Timothy Lane to the north.

It is recommended that the applicant consults with the PROW Team to determine whether any wider improvements to the PROW network are considered necessary, to further facilitate / encourage pedestrian and cycle access at the site.

**Vehicle Access:**

The site includes a single point of access on the west side of Lady Ann Road, approximately 200m north of the Primrose Hill junction. The access is proposed to be 5.5m wide, with 2m footways on both sides, and 2.4x43m visibility splays. However, no detailed plans of the site access have been provided, including details of the proposed junction radii, the protected visibility splays, fence treatments or bridge crossing of the beck. Therefore, it is not possible to determine whether the access arrangements are acceptable.

Only limited Swept Path Analysis (SPA) information has been provided at the site access. However, from the information provided, it is clear that the Councils Design Refuse vehicle will not be able to safely enter/exit the site when existing car parking is taking into consideration, which currently takes place on the opposite side of Lady Ann Road to the site access. To address this issue, increased junction radii appears to be necessary.

Therefore, more detailed plans of the site access must be provided, including SPA of the Councils Design Refuse vehicle, which that takes into account the existing on-street parking, to determine whether a suitable access is provided. Once agreed in principle, the access design must then be subject to a Stage 1 Road Safety Audit (RSA Brief to be agreed with HDM) and Designers Response report provided, prior to determination.

### **Road Safety**

The Councils Road Safety Team have been consulted and have identified that they are in the process of introducing (subject to TRO approval) no waiting restrictions along the west side of Lady Ann Road along the site frontage, then extending south up to the junction with the B6124 Soothill Lane junction to the south. A further short section (circa 10m) of no waiting restriction is then proposed on the east side of Lady Ann Road, immediately north of the Soothill Lane junction. These no waiting restrictions are being proposed due to the extensive parking that takes place on Lady Ann Road, particularly within the vicinity of the Soothill Lane junction, which has caused operational issues to buses travelling along Lady Ann Road and turning at the junction.

In addition to the parking on Lady Ann Road, parking also takes place on the north side of Soothill Lane adjacent to the Lady Ann Road junction. This parking restricts visibility at the junction, which is already below desirable minimum standards. Therefore, the applicant should investigate what improvements can be provided at the junction. From an initial review by HDM, it appears possible to locally narrow the running carriageway on Soothill Lane from circa 6.2m to 6.0m (min. acceptable width for a bus route), which would allow the Lady Ann Road give-way line to be brought forward and improve junction visibility. No waiting parking restrictions should also be provided for circa 10m either side of the junction, to further improve junction visibility. By narrowing the carriageway to 6m as suggested, this would also allow the narrow footway (circa 1m wide) on the northwest side of the junction to be widened slightly, to the benefit of pedestrian safety and accessibility. On the northeast side of the junction, it is suggested that a kerb build-out could be provided to formalise the suggested no waiting restrictions and on-street parking to the east, and would ensure that a consistent carriageway width of 6m is provided on Soothill Lane past the junction.

The applicant is requested to prepare an initial design of the above improvement for consideration by HDM, including confirmation of the improvements to visibility that are achieved. To ensure that the highway works are achievable, these should be designed on an accurate topographical survey base, and should be accompanied by Swept Path Analysis (SPA) of all large vehicles that utilise the junction. Once agreed in principle, the design must then be subject to a Stage 1 Road Safety Audit (RSA Brief to be agreed with HDM) and Designers Response report provided, prior to determination.

### **Site layout:**

There are a number of concerns with the site layout, which are summarised as follows:

- All internal roads shall be built to adoptable standards, as set out in the Kirklees Highway Design Guide SPD and Highways Guidance Note – Section 38 Agreements for Highway Adoptions March 2019 (version 1) and associated documents. In particular, reference should be taken to minimum requirements relating to centreline radius, junction/forward visibility, junction spacing and access for the Kirklees Design Refuse Vehicle. At present it is clear that the internal roads do not fully comply with minimum adoption requirements. Revised plans should be provided to address these concerns and include long sections, cross sections, contour plans and surface treatments. The proposed extent of adopted highway should also be confirmed, together with any areas that are proposed to remain private (details regarding management / maintenance of any unadopted public areas to be confirmed).

- The bend adjacent to No. 62 has a centre line radius below 20m, which is below Council standards and will not allow a refuse vehicle to safely pass an oncoming or parked vehicle. The associated visibility envelope at the bend is also inadequate (min. 25m required) and appears to be blocked by a proposed hedge. All junction and forward visibility enveloped must be located within the adopted highway and protected from obstruction. The bend should be amended to address these issues and may require localised carriageway widening.
- The bends adjacent to No. 63-65 also appear to have inadequate centreline radii and forward visibility, and should also be amended.
- Adequate visitor parking must be incorporated into the layout, with a minimum provision of 1 space per 4 units. Ideally this should be in the form of laybys that are parallel to the carriageway. At present on 16 spaces are proposed within the layout, with 5 of these spaces being on private drives, which will be inaccessible to all users. Therefore, additional visitor parking is required, particularly within the vicinity of the play area, where on-street parking would block forward visibility and restrict access by the Councils refuse vehicle. All visitor parking spaces should be provided in parallel laybys, which are a minimum of 6m long by 2.4m deep (6x2m is acceptable when adjacent to a footway).
- The shared surface road serving No. 7-61 is very straight. As such it is unlikely that the required 15mph design speed would be achieved, which may create safety problems for pedestrians and cyclists. As such, the layout should be amended to ensure that a suitable design speed is achieved and that safe access for pedestrians and cyclists is provided. At present, no gradient information has been provided. However, it is envisaged that the access road will be relatively steep, which would further contribute to these safety concerns.
- As previously stated, a minimum 3m wide combined pedestrian / cycle link should be provided at the north end of the site that connects to Footpath BAT/20/20. This link must connect to the adopted highway within the site.
- Visibility splays of 2.4x 25m are required at internal junctions and forward visibility of 25m is required on bends. These splays/sightlines should be demonstrated on a plan for review. All visibility splays/sightlines must be contained within the adopted highway.
- All junction radii should to be a minimum of 6m (10m radii are likely to be required at the site access, due to presence of on-street parking) to assist with refuse swept path movements. This also applied at proposed turning heads.
- All shared surface roads should be a minimum of 5.5m wide with 0.6m wide margins. Shared spaces should have a gradient not steeper than 1:20. If this cannot be achieved then a separate footway along the shared space should be provided too;
- Swept Path Analysis (SPA) is required to demonstrate that the Kirklees Design Refuse Vehicle can pass an oncoming vehicle or parked vehicle, and turn within all turning heads unobstructed. Revised SPA should be provided of the entire site layout at an increased scale, which must be in accordance with the vehicle parameters set out in Table 1 of the S38 design guide entitled 'Emergency Access, Waste Management, Servicing and Deliveries – April 2020 (version 1)'. From a review of the SPA currently provided, it appears that stationary steering has been used, which is not in accordance with the above requirements and is not acceptable.
- Bin presentation points are required for all dwellings, which should conform to the Councils latest S38 design guide entitled 'Emergency Access, Waste Management, Servicing and Deliveries – April 2020 (version 1)' and should be clearly noted on the submission plans. For any roads (e.g. private drives) where a dedicated refuse vehicle turning head is not provided, suitably sized and located communal bin presentation points are required adjacent to the adopted highway. All bin presentation points should conform to the maximum carry distances and gradients set out in Council guidance and should ensure that bins can be presented on collection day without causing obstruction to the highway, pavements or driveways.
- Where private drives are proposed, turning space is still required for cars and light van deliveries, which should be demonstrated with Swept Path Analysis (SPA).

- Trees should be incorporated to ensure that streets are tree lined, in accordance with the NPPF, Kirklees Highway Design Guide SPD and Kirklees Housebuilder SPD.

Amended plans should be provided, which will be subject to further review by the HDM/S38 Teams. As part of this submission, sufficient detail must be provided that clearly show the extent of proposed adoption and any areas that are to remain private (e.g. landscaping areas and PoS). The following information is required as a minimum:

- Long sections, cross-sections and contours;
- Dimensioned plans, including visibility splays and forward visibility sight-lines (within adopted highway);
- Kerbing details and surface treatments;
- Extent of proposed adoption and unadopted communal areas to be confirmed. Details regarding the maintenance of unadopted communal areas/facilities are also required;
- Details of new PROW link;
- Swept path analysis (SPA).

Any retaining features affecting the highway will require formal technical approval by the Council as the Highway Authority, which will include the bridge crossing of the beck. Further details of all proposed retaining features and underground storage facilities (including pipes) should be provided, which will be subject to review by my colleague Farhad Khatibi ([Farhad.Khatibi@kirklees.gov.uk](mailto:Farhad.Khatibi@kirklees.gov.uk)) in the structures section.

Subject to a satisfactory layout being agreed in principle, this will then need to be subject to a Stage 1 Road Safety Audit (RSA brief to be agreed in advance with HDM) and a Designers Response provided.

### **Parking:**

Based on the information provided, it appears that on-site parking is provided in accordance with Council guidance, with 2 spaces provided for 2-3 bedroom units and 3 spaces for 4-6 bedroom units. Some of the provision is accommodated within garages, which is acceptable given that they have minimum internal dimensions of 3.0x6.0m.

However, the layout of parking is not ideal, with spaces provided in front of most dwellings rather than to the side. This creates an unattractive street frontage, and reduces the scope for on-street parking. As such, the parking arrangements should be reviewed in line with the Councils Housebuilder SPD, which provides recommendations for the location of parking spaces to ensure high quality design.

It is noted that some of the single width drives are only 3m wide, without any additional width for passing pedestrians, or to allow disabled users to access a parked vehicle. Therefore, single drives should be widened to a minimum of 3.6m.

As previously stated, visitor parking should be provided at 1:4 dwellings as a minimum, ideally within parallel laybys. Given the significant number of large 4-6 bedroom dwellings, additional visitor parking should also be considered.

All dwellings must include at least 1 no. electric vehicle (EV) charging point (more are desirable). EV charging must then be secured by a planning condition and cross-referenced to a clear EV drawing.

Secure cycle parking is also required for all dwellings and should allow for electric cycle charging.

### **Construction Access Strategy**

A Construction Management Plan (CMP) is required for the site and secured by planning condition. Specific conditions are also required relating to:

- Wheel washing facilities; and
- Carriageway and footway condition surveys (pre and post construction).

### **Transport Statement:**

The Transport Statement submitted for the previous planning applications at the site has been resubmitted for this latest application. This Transport Statement does not reflect the current proposals and the information contained in the report is out of date (e.g. accident data). As such, an up to date Transport Statement report is required, which includes the following (as a minimum):

- A review of the sites accessibility by non-car modes and measures to encourage / facilitate sustainable transport;
- A review of the site access and layout proposals, which addresses the concerns identified in this response;
- Detailed Swept Path Analysis (SPA);
- Up to date accident assessment;
- Up to date traffic assessment. As requested by HDM for the previous applications, this should include traffic distribution / assignment beyond the junctions on to Soothill Lane, to enable the wider impact of the development to be considered. This includes an assessment of traffic distribution that includes the signalised junction of Rouse Mill Lane/ Bradford Road, to enable an informed assessment of development traffic impact.
- Up to date junction capacity assessments, which includes other committed development traffic.
- Proposals to improve visibility and operation of the Lady Ann Road / Soothill Lane junction, as recommended earlier in this response.

### **Planning Conditions/Section 106:**

**Conditions;** – To be advised

### **Section 106 Contributions/Requirements;**

- Provision of 1 No. Real Time Information display at bus stop 16161 on Lady Ann Road - **£10,000**;
- Residential MCard Scheme or Sustainable Transport Fund, estimated at approximately **£34,270.50**;
- Travel Plan monitoring fee - **£10,000** (£2,000 x 5yrs).

### **Conclusion:**

Further information required, see recommendation.