

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

2023/91173 749, New Hey Road, Outlane, Huddersfield, HD3 3YL

Conversion and extension of existing Listed barn to form one dwelling, alterations to existing farmhouse with associated car parking and external works [Listed Building].

Date Responded: 26/09/23

Responding Officer: CNB

Responding Ref: K1-46/3

This application is for the conversion of a barn and new extensions to create a new dwelling with parking within the curtilage of an existing dwelling with a narrow unsurfaced access on to A646 New Hey Road, a 30mph two-way single carriageway main distributor road of approximately 10m width with a hatched central reserve and with footways and street lighting present. There is residential on-street parking on the side of the application site access and a commercial business located adjacent to the access may also generate parking demand in the immediate area.

The A646 hosts a medium frequency bus route and there are stops within 100m of the site. The site is approximately 2km from the closest convenience store and other services and approximately 1.4km to the closest school.

It should be noted that the access is unadopted and in private ownership and we would recommend to the applicant that they check with their solicitor to ensure that they would have a vehicular access over the path for the new build dwellings. This may need to be negotiated with any joint owners of the track.

These HDM consultation comments relate to the amended site plan (Drawing No AL0002 Rev B, dated 26/06/23) submitted by the applicant to remove the requirement for a visibility splay condition, and these comments should be read in conjunction with the previous comments submitted on 19/06/23 and appended below.

The visibility splay condition was worded as;

Prior to the development being brought into use, the sightlines of 2.4m x 43m along A646 New Hey Road either side of the access shall be shown on a plan and presented to the local planning authority for written approval and afterward these visibility splays be cleared of all obstructions to visibility exceeding 0.9 m in height and these shall be retained free of any such obstruction throughout the lifetime of the development.

Reason: To ensure adequate visibility in the interests of highway safety

The revised drawing submitted by the applicant shows a visibility splay construction based on guidance within Manual for Streets for a 30mph road with an x-distance of 2.4m and Y-distances of 43m to the nearside kerb line. We were originally concerned that the visibility splay to the right would just cut across third party land, however the construction shows that the splay crosses over the adopted footway to the front of the neighbouring properties and so is deemed acceptable.

It should be noted that providing an achievable visibility splay on a drawing does not always mean that the y-distance visibility will be available due to vehicles parking on-street along the kerb line within the visibility splay.

With this we consider that the amended site plan is sufficient to remove the condition for a visibility splay construction to be provided on a drawing.

All other conditions are still relevant, and the proposals are still only viewed as being acceptable on balance for the same reasons as provided in the previous comments.

Previous Comments (submitted 19/06/23)

This application is for the conversion of a barn and new extensions to create a new dwelling with parking within the curtilage of an existing dwelling with a narrow unsurfaced access on to A646 New Hey Road, a 30mph two-way single carriageway main distributor road of approximately 10m width with a hatched central reserve and with footways and street lighting present. There is residential on-street parking on the side of the application site access and a commercial business located adjacent to the access may also generate parking demand in the immediate area.

The A646 hosts a medium frequency bus route and there are stops within 100m of the site. The site is approximately 2km from the closest convenience store and other services and approximately 1.4km to the closest school.

It should be noted that the access is unadopted and in private ownership and we would recommend to the applicant that they check with their solicitor to ensure that they would have a vehicular access over the path for the new build dwellings. This may need to be negotiated with any joint owners of the track.

The site was previously submitted as planning application No 22/92882 for 3 new dwellings and this application was withdrawn, however Highways DM did not support the application and objected on highway safety grounds. The current application has reduced the number of new dwellings to one and has rearranged the parking, however the narrow access on to A646 New Hey Road remains.

No trip generation details were provided with the application, however one dwelling would not be expected to generate sufficient trips as to have a severe impact on the operation or efficiency of the local highway network.

No visibility splays for the access on to A646 New Hey Road were supplied with the application, and it should be noted, however, that residents and commercial property parking along this side of New Hey Road may obscure the visibility splays to both sides, and this may be a road safety concern given that there will be an intensification of use of the access due to the proposals. We would like to see visibility splays of 2,4m x 43m clearly indicated on a drawing and this should be conditioned.

The access to the site is very narrow and will be used as both a vehicular and pedestrian access. The narrow aspect to the access means that there will be no space for a separate pedestrian path and vehicle/pedestrian conflict may occur, however given the low number of vehicles and the very slow speeds expected, this will not be a severe safety concern, however it may act as a deterrent to sustainable travel choices at the site.

The main concern we have is with the access to the site. Based on plans provided by the applicant (drawing No AL0002 Rev A) the access scales to approximately 3.5m at its widest point and a measurement of 3.2m taken from a local resident and this narrowing extends for approximately 15m. This width would only be suitable for a single vehicle to use at any one time and may cause a highway safety concern if a vehicle entering the site from A646 needs to then reverse out back on to the adopted highway to allow a vehicle exiting the site to leave.

With the access being only 3.2m wide this would not allow a fire and rescue vehicle for accessing the site as a width of 3.7m is required in both local and national guidance. The current dwelling is

approximately 25m from the adopted highway and is within guidance distances for fire hose use of 45m. However, with the proposals, the refurbished barn living area would be just beyond the guidance distances (at approximately 57m) and this would be a concern. We would recommend that you consult with the West Yorkshire Fire and Rescue service to see if this distance would be acceptable or if something such as a dry riser would be required linking the adopted highway with the site.

The proposals are to create a 4 bed dwelling to go with the existing 3 bed dwelling and parking requirements for a 4 bed dwellings would be for 3 off street parking spaces. Drawing No AL0002 Rev A shows a total of 7 parking spaces for the 2 dwellings (1 existing and 1 proposed) and this number would be suitable. All the parking spaces shown on the drawing scale to approximately 2.4m wide by 4.8m deep which is acceptable as a standard car parking space and the headway for the parking spaces is approximately 6m and so vehicles should be able to manoeuvre in and out of the spaces easily.

The previous withdrawn application showed a swept path analysis showing a larger vehicle accessing the site, this has not been replicated with the current application and so we do not know if a vehicle larger than a car could access the site. This may have an impact on the demolition and construction activities in the site and because of this we would like to see a construction access management plan showing details of access, what size vehicles are expected to be used for contractors and deliveries, parking spaces for contractors and deliveries including turning space, materials storage, and site facilities. This should be conditioned.

Guidance provided by the Kirklees Waste strategy team indicates that a refuse collection vehicle will not usually traverse a private driveway that is not constructed to adoptable standards and that the bins should be presented for collection within 8m of the adopted highway. The locations presented within the drawing do not conform to this guidance and there is no indication where a suitable bin collection point could be located, and we would not wish to see the bins left obstructing the adopted footway for highway safety reasons. The current bin storage locations are approximately 50m from the adopted and this would become an issue for the waste collection team if they were to need to supply an assist service for either dwelling. We would recommend that the applicant contacts the Kirklees Waste Strategy team as the earliest opportunity to try to resolve these issues. This can be conditioned.

With this, and given the issues noted with the access, we consider the application to be acceptable on balance due to the reduction in intensification of use from the previous application with the following conditions.

Conditions

Prior to the development being brought into use, the sightlines of 2.4m x 43m along A646 New Hey Road either side of the access shall be shown on a plan and presented to the local planning authority for written approval and afterward these visibility splays be cleared of all obstructions to visibility exceeding 0.9 m in height and these shall be retained free of any such obstruction throughout the lifetime of the development.

Reason: To ensure adequate visibility in the interests of highway safety

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 numbers and size of vehicles expected to access the site, the routing of construction traffic to and from the site, construction workers and delivery parking facilities, the location of materials storage and site facilities, the use of traffic

management/banksman for large deliveries and the provision, use and retention of adequate wheel washing facilities within the site and the means of removal of mud and debris from the highway/footway. 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.

Reason: In the interests of highway safety

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 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) 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.

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