

Consultation Response from KC, Highways Development Management (HDM)		
2023/91212 Land off Bankfield Drive, Holmebridge, Holmfirth, HD9 2PH		
Erection of 21 dwellings with access from Laithe Avenue		
Date Responded: 14/10/24	Responding Officer: A.Darwin	Responding Ref: HDC 3-26/3

RECOMMENDATION: No objection, subject to Conditions / S106

Development Overview:

The site is located in Holmebridge to the south of the village centre, and is proposed to be accessed via Laithe Avenue, which is an existing residential estate road. The site is allocated for residential development in the Local Plan, with site reference HS183 that has an indicative capacity of 23 dwellings.

Immediately to the west of the site is further 'safeguarded land' designated in the Local Plan, which may be accessed in future via the HS183 site. As such, in accordance with Local Plan Policy LP6, the proposals must not prejudice the possibility of long term development of the safeguarded land. This requirement has been accommodated within the site layout, with the extended section of Laithe Avenue passing through the site and connecting to the sites western boundary with the safeguarded land.

The proposed development includes 21 No. dwellings, which includes 5 no. 2-bedroom dwellings, 12 no. 3-bedroom dwellings and 4 no. 4-bedroom dwellings.

HDM have previously provided formal comments on 19/06/23, which identified that further information and amendments were required. Subsequently, further discussions have taken place with the applicants' transport consultant to agree necessary changes to the site access and internal layout proposals. These revised proposals are now acceptable; and have been subject to a Stage 1 Road Safety Audit that has not raised any significant issues that cannot be adequately addressed at the detailed design stage. Therefore, HDM do not object to the proposals, subject to the Conditions / S106 requirements that have been identified at the end of this response.

Reference to Plans/Documents:

- Transport Statement Addendum (by Optima dated October 2023);
- Bespoke Peak Hour Traffic Generation/Distribution Figures 105 & 106 (included in RSA Brief appended to RSA Response Report);
- Stage 1 Road Safety Audit (by Via Solutions dated November 2023);
- Stage 1 RSA Response Report (by Optima dated November 2023 Rev 3);
- Proposed Site Plan - 2021.01.003 Rev V;
- S104 Drainage Layout Plan - 21043/101/Rev F;
- Road and Sewer Long Sections - 21043/102/Rev D;
- S38 Agreement Plan - 21043/104/Rev B;
- Proposed Highway Contours - 21043/105/Rev B;
- Dobb Top Road/Bankfield Drive Proposal Drawing - 22027/GA/01 Rev. D;
- Site Layout Swept Path Analysis - 22027/ATR/01 Rev E;
- Site Layout Geometry - 22027/IN/01 Rev B.

Site Access:

Access to the site is proposed via Laithe Avenue, which links to Dobb Top Road / Smithy Lane to the north via Bankfield Drive and Laithe Bank Drive, which are both residential estate roads that are c.5.5m wide with c.1.8m wide footways and street lighting.

On the approach to the Dobb Top Road / Smithy Lane junctions, both Bankfield Drive and Laithe Bank Drive have steep downhill gradients (circa 1:6-1:7). At the Bankfield Drive / Dobb Top Road / Smithy Lane junction,

there is also restricted visibility to the west along Smithy Lane; and Dobb Top Road forms a further junction on the west side of the Bankfield Drive minor arm in the large bellmouth area. The applicant has now proposed a package of improvements at this junction, in response to these existing issues (see further comments below).

To provide access to the site, it is proposed to extend Laithe Avenue to the west as a Local Residential Street (Type 2), with footways on both sides for the initial section that would connect to the safeguarded land to the west. A shared space street is then provided to the north of the extended section of Laithe Avenue, which serves the remainder of the site.

Site Layout/Servicing/Waste Collection:

The site layout includes an initial section of highway that is designed to Local Residential Street (Type 2) standard, which includes a 5.5m wide carriageway and 2m wide footways on both sides. A shared surface street is then provided, which serves the northern section of the site. The shared surface street is 5.5m wide, with a 2m wide pedestrian route provided on the west side, which has been provided due to the shared surface street being steeper than 1:20 (the street gradient is 1:12 at it's steepest).

The shared surface street includes a turning head that has been designed to accommodate the Councils Design Refuse vehicle, and additional turning provision has been provided for light vans at the end of the shared private drives located at the end of the shared surface street. Swept path analysis has been provided to confirm that these turning facilities are adequate. Bin presentation points have also been identified.

The site layout has been subject to an independent Stage 1 Road Safety Audit, which has not identified any safety issues that cannot be addressed at the detailed design stage.

Highway Adoption Issues:

The applicant has confirmed that the internal roads will be built to adoptable standards, and a plan has been provided to confirm the areas that are proposed to be offered for adoption, which includes the areas required for junction and forward visibility splays.

The applicant has also confirmed that the existing retaining wall that runs along the north site boundary adjacent to Dobb Top Road is proposed to be partially reconstructed, to enable the proposed drainage connections to be installed beneath it. This approach has been discussed the Highways Structures team and is acceptable in principle, and the final details of these works will need to be secured by condition.

Parking:

All dwellings will be provided with off-street car parking in line with the Councils Highway Design Guide SPD, which recommends that 2 spaces are provided for 2-3 bed dwellings and 3 spaces for 4+ bedroom dwellings.

To achieve the required car parking provision, some of the dwellings include garages. As such, the applicant has confirmed that these have minimum internal dimensions of 3m x 6m, which is in accordance with the Council design guidance.

The proposals include 5 no. visitor parking bays, which are provided in formalised laybys on the shared surface street. The street layout also provides other opportunities for informal on-street parking. This level of visitor parking provision is in accordance with Council guidance that recommends 1 visitor parking space per 4 dwellings.

For the dwellings with garages, cycle parking can be accommodated within the garages. However, for dwellings without garages, an external cycle store / shed will be required, the details of which should be secured by condition. External access to rear gardens is provided for all dwellings, which will enable access to the secure cycle store to be accommodated.

All dwellings are proposed to include 1 no. electric vehicle charging point, with the location shown on the site layout plan.

PROW:

PROW footpath HOL/91/20 runs along the southern boundary of the site, and it is proposed to provide a 2.5m wide link to the PROW from the site access road. This link is welcomed and is acceptable.

However, it is understood that the applicant has not yet been reached agreement with the adjacent landowner, to break through the boundary wall (which may be in shared ownership) to make the final connection to the existing PROW. Therefore, should the applicant be unable to reach agreement with the adjacent landowner, then the Councils PROW team have confirmed that they would be willing to use the available powers in Section 25-26 of the highways act to help facilitate the final connection of this PROW link.

To enable the Council to progress the S25-S26 process, a Section 106 contribution will be required of £10,000. This is to cover the Councils costs relating to the order process, and other associated costs in delivering the connection through the boundary wall only. If the applicant can reach a private agreement with the adjacent landowner (assuming their agreement is required), create the link in full with the necessary public access rights, and provide a compliant footpath gate, then the above S106 contribution may not need to be utilised. It is noted that the above S106 contribution does not include the PROW works within the application site itself, which should be fully delivered by the development and secured by planning condition.

In light of the above, a planning condition and S106 obligations will be required to secure the following:

1. The applicant to submit a scheme for approval by the LPA for the PROW link that connects Laithe Avenue to PROW HOL/91/20. This must include an access gate to the PROW in accordance with BS-5709-2018. The condition should then secure the delivery of the footpath link prior to first occupation and it's ongoing maintenance thereafter.
2. The S106 will need to confirm that all necessary access rights for the link through the application site will be secured by the development. This must cover the full connection between the PROW and the all-purpose highway at Laithe Avenue (either existing, or the proposed extended section if S38 adoption takes place).
3. The S106 needs to include the requirement for the applicant to apply for the PROW link via the S25 or S26 process, should they be unable to reach a private agreement with the adjacent landowner to deliver the final connection to the PROW.
4. A £10,000 contribution to be secured in the S106 in the event that point 3 needs to be actioned. The S106 should also include the requirement for the applicant to cooperate fully with the Council (as Highway Authority) to secure the footpath link, and undertake not to pursue any costs from the highway authority regarding creation of the public footpath.

Road safety / off-site highway improvements:

At the pre-application stage, a number of safety issues were identified by HDM on the local network, and the applicant was requested to investigate these matters further, and propose a package of highway improvements to address these issues. However, as no measures were proposed by the applicant in the original planning submission, HDM reiterated this in the consultation response of 19/06/23.

Subsequently, the applicant has provided additional supporting information and proposed a package of improvement measures at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road, as shown on drawing 22027/GA/01 Rev D. These works have been subject to a Stage 1 Road Safety Audit, which has not identified any issues that will prevent the works from being deliverable and are acceptable.

A summary of the proposed junction improvements works are as follows:

Improvement to junction visibility at Bankfield Drive / Dobb Top Road / Smithy Lane junction

Visibility from the Bankfield Drive minor arm looking west (to the left) towards approaching traffic from Smithy Lane is currently restricted due to the presence of a dry stone wall. Therefore, improvements to the junctions road markings are proposed to improve visibility. This includes amendments to the centreline on the Bankfield Drive minor arm, and changes to the give-way lines on the adjacent junction with Dobb Top Road. These changes are intended to make the junction more compact, and encourage drivers waiting to enter Smithy Lane to position their vehicle further to the east, where the sight line to/from approaching traffic from Smithy Lane to the west are improved. Based on these proposed road marking changes, the submission drawings have demonstrated that approaching vehicles can be observed from a distance of 24.5m, which is adequate based on the recorded 85th percentile approach speeds of 20.7mph of passing traffic and guidance contained in 'Manual for Streets'.

In addition to the benefits of the amended road markings to the users of Bankfield Drive, the changes to the give-way line position for the adjacent Dobb Top Road junction (e.g. bringing the give-way line forward) will improve visibility for vehicles exiting Dobb Top Road, to the benefit of these users.

The proposals also include additional centreline markings on Dobb Top Road / Smithy Lane and edge of carriageway markings, as recommended by the Stage 1 Road Safety Audit.

In light of the above, the proposed road marking changes at the Bankfield Drive / Dobb Top Road / Smithy Lane junction are supported; and will be of benefit to existing and proposed highway users.

Proposed containment kerbs opposite Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road, and high friction surfacing at Bankfield Drive / Dobb Top Road junction

As identified in the previous HDM consultation response, and as highlighted by many local residents in their objections, there have been a number of junction overshoot type incidents (damage only incidents) at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road, which have resulted in vehicles colliding with the stone wall opposite the junction. This has then created gaps in the wall, which have created secondary risks for passing pedestrians, as there is a high drop on the north side of the wall. A contributory factor in these incidents is likely to be due to the steep downhill approach to the junctions from Bankfield Drive and Laithe Bank Drive.

Therefore, to address the above issue, the applicant has agreed to provide new containment kerbs on the north side of Dobb Top Road, opposite both the Bankfield Drive and Laithe Bank Drive junctions. Whilst the containment kerbing would not prevent a junction overshoot incident occurring, it would reduce the safety risk of vehicles striking the wall and then creating gaps. This would reduce the risk of an errant vehicle crashing through the wall, and help to mitigate the secondary risk of gaps in the wall that affect other highway users (e.g. passing pedestrians).

The new containment kerbs would also have secondary benefits in improving drainage adjacent to the wall, by directing water to gullies rather than passing through the wall, and by protecting street furniture (e.g. street lighting columns and warning signage).

To reduce the risk of vehicles skidding on the Bankfield Drive approach to Dobb Top Road (which is likely to be the primary route to and from the site) the applicant has proposed to resurface the Bankfield Drive minor arm approach with high friction surfacing (HFS with 68+PSV), which would help address overshoot incidents in dry and wet conditions.

To ensure the greatest benefit from the HFS is achieved, it is proposed to plane and overlay the carriageway with a HFS wearing course, rather than by an applied surface coating, which will provide a more durable HFS finish.

In addition to the Bankfield Drive approach to the junction, the full extent of the junction would be resurfaced with HFS, including the Dobb Top Road approach to the west, which should reduce the risk of vehicles skidding on all approaches.

In light of the above, the proposed containment kerbing and HFS at the Bankfield Drive / Dobb Top Road / Smithy Lane junction is supported; and will be of benefit to existing and proposed highway users.

Proposed signing and other improvements on Dobb Top Road / Smithy Lane / Bank Lane

Dobb Top Road / Smithy Lane / Bank Lane is the primary route to the site from the A6024 Woodhead Road. This route is relatively narrow, has no (or very limited) footway provision and is a bus route. Therefore, 'Rural School Route' signage on yellow backing boards are currently provided on the route to highlight the presence of pedestrians within the shared surface highway. However, one of the sign posts originally provided to the west of the Bankfield Drive junction is currently missing.

Due to the physical constraints on these routes, there is limited scope for improvement (e.g. width constraints do not allow for new footways etc.). However, the improvement works at the Bankfield Drive / Dobb Top Road junction are proposed to include additional 'Pedestrian in road – rural school route' warning signage on yellow backing boards, on both approaches to the junction (including replacement of the missing signs). It is noted that the new signs proposed to the east of the junction would be protected by the proposed containment kerbing, ensuring the signs are less vulnerable to vehicle collisions, and thus easier to maintain and at lower risk of causing secondary incidents. The containment kerbing will similarly protect the adjacent street lighting columns.

Summary

The further supporting information provided by the applicant has confirmed that vehicles speeds on Dobb Top Road are relatively low (85th percentile speed of 20.7mph). Existing traffic flows are also relatively low (see further information below regarding traffic generations), with a total of 59 and 45 vehicle movements recorded in the AM (08:45-09:45) and PM (17:30-18:30pm) weekday peak hour periods respectively at the Dobb Top Road / Bankfield Drive junction travelling in all directions.

The development has then been estimated to generate up to 16 additional vehicle trips on Dobb Top Road during weekday peak period (highest during AM peak, using robust trip rate assumptions). Therefore, following development, traffic flows at the Bankfield Drive / Dobb Top Road junction would still be low, at around 1.3 vehicles per minute.

In light of the above, it is considered that the additional development traffic that is generated on the local highway network would not have a significant impact on it's operation, both in terms of capacity and highway safety; and the proposed highway improvement works at the Bankfield Drive / Dobb Top Road junction will be of benefit to highway safety for both existing and proposed users.

Accessibility:

The supporting Transport Statement includes a high level review of the sites accessibility by non-car modes. This has confirmed that site is accessible by public transport, with hourly services available within walking distance of the site on Woodhead Road, with a lower frequency service available on Dobb Top Road. The provision of the new footpath connection to PROW HOL/91/20 is a significant positive element of the scheme, which will be of benefit to future residents and other highway users, and is welcomed. Whilst no pedestrian improvements are feasible on the local highway network due to width constraints, the off-site highway improvements at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road junction include additional pedestrian warning signage, to highlight the presence of pedestrians in the shared surface highway. The development will include secure cycle parking for all dwellings.

In light of the above, it is considered that the development has taken up the available opportunities to provide access for sustainable transport modes, in accordance with local and national planning policy.

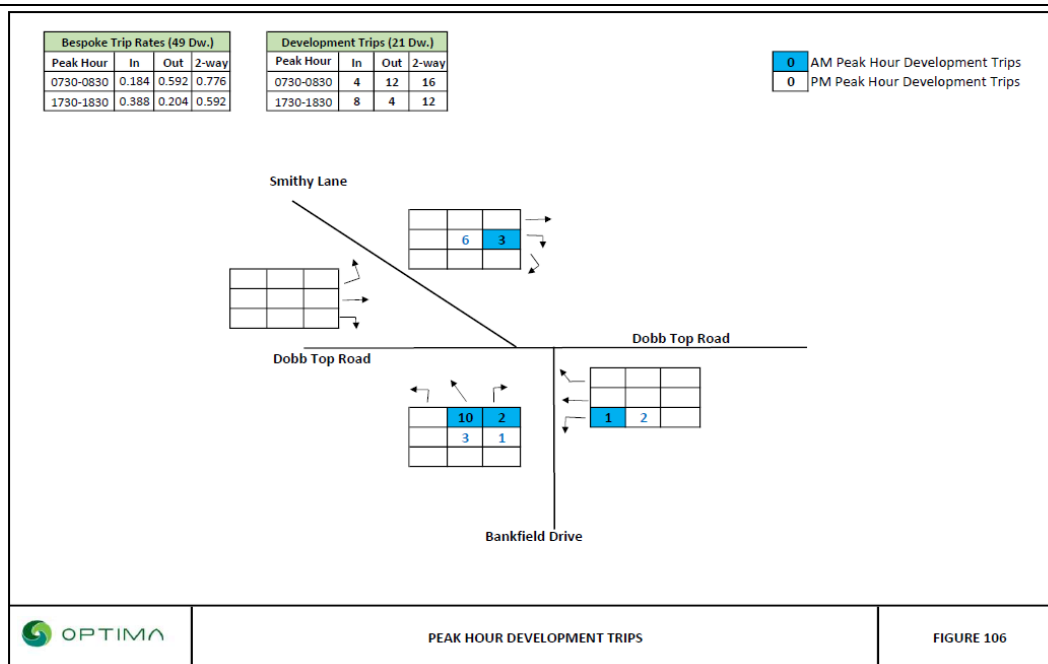
Traffic Impact / Network Assessment:

Following the initial consultation response provided by HDM, the applicant has submitted additional traffic information in a Transport Addendum dated October 2023. This included additional weekday peak hour traffic generation data for the development based on bespoke trip rates obtained from surveys of existing traffic using Bankfield Drive. However, following discussions between HDM and the applicants transport consultant, the methodology for deriving the bespoke trip rates has amended to utilise existing data for both the Bankfield Drive and Laithe Bank Drive junction, and to utilise the peak hourly flows over the 3hr AM and PM survey periods, which provides higher bespoke trip rate, and thus a more robust assessment. This data has been included within the Stage 1 Road Safety Audit Brief (Figures 105 and 106), and has been taken into consideration by the RSA Team when considering the off-site highway works proposals.

Below is a summary of the average weekday peak hour vehicle trip rates and associated development trips identified in the original Transport Statement report (extrapolated for the 21 dwellings now proposed), together with the more robust bespoke trip rates and associated development trips.

Time Period	Development Traffic Generation based on TRICS data included in March 2023 Transport Statement					
	Trip rate (per dwelling)			Development Traffic (21 Dwellings)		
	In	Out	Two-way	In	Out	Two-way
AM Peak Hour (0800-0900)	0.156	0.35	0.506	3	7	10
PM Peak Hour (1700-1800)	0.328	0.167	0.495	7	3	10
Time Period	Development Traffic Generation based on Bespoke Trip Rates included in RSA Brief					
	Trip rate (per dwelling)			Development Traffic (21 Dwellings)		
	In	Out	Two-way	In	Out	Two-way
AM Peak Hour (0730-0830)	0.184	0.592	0.776	4	12	16
PM Peak Hour (1730-1830)	0.388	0.204	0.592	8	4	12

The bespoke trip generations have then been distributed on the local highway network utilising existing turning proportions, and assuming all development traffic utilises Bankfield Drive for robustness. These are shown on Figure 106 that has been extracted from the RSA Brief below:



HDM accept the above development trip assessment assumptions, and agree that the identified development trips and distribution derived from the bespoke trip rates provides a robust basis for assessment.

The Transport Addendum also includes addition survey data of vehicle, pedestrian and cycle traffic at the Bankfield Drive / Dobb Top Road / Smithy Lane junction, which is summarised as follows (this includes all passing and turning movements):

- 59 and 45 vehicle movements during AM (08:45-09:45) PM (17:30-18:30) weekday network peak hour periods respectively;
- 41 and 38 pedestrian movements during AM (07:00-10:00) and PM (16:00-19:00) weekday 3hr survey periods respectively;
- 3 cycle movements during both the AM (07:00-10:00) and PM (16:00-19:00) weekday 3hr survey periods.

Based on the robust vehicle trip generations that have been identified, and the additional traffic (vehicular, pedestrian and cyclist) data that has been provided, it has been demonstrated that existing and proposed development traffic on the local highway network is low; and that the impact of additional vehicular traffic (up to 16 additional vehicle trips during peak hourly periods) will not have a significant impact on the operation of the local highway network.

Construction Management Plan (CMP) and Highway Condition Surveys:

During construction of the development, construction access management practices should be implemented that address potential impacts arising from the development and ensure that the site operates efficiently and safely, and minimises impact on existing highway users. This should be covered in a Construction Management Plan (CMP) that considers construction access arrangements, hours of operation, treatment of delivery/construction vehicles (including wheel washing requirements etc), loading areas, and parking arrangements for construction staff, with the CMP secured by a pre-commencement condition.

It is expected that HGV traffic will need to avoid school start / finish times to minimise impact on pedestrians and other highway users on the local network, which will need to be confirmed in the CMP. As a temporary road closure is anticipated to be required during the works to the retaining wall on Dobb Top Road along the northern

site boundary, in addition to any diversion arrangements that are agreed with the Highway Network Management Team, temporary waste collection arrangements will also need to be agreed with the Councils Waste Strategy Team, and evidence of the agreed arrangements should be identified in the CMP.

Highway conditions surveys (prior to and post completion) and remediation works (should damage to the highway occur during the construction works) should also be secured by condition.

Recommended Section 106 Contributions/Requirements:

- The S106 will need to confirm that all necessary access rights for the public footpath link through the application site will be secured by the development. This must cover the full connection between the PROW and the all-purpose highway at Laithe Avenue (either existing, or the proposed extended section if S38 adoption takes place).
- The S106 needs to include the requirement for the applicant to apply for the PROW link via the S25 or S26 process set out in the Highways Act 1980, should they be unable to reach a private agreement with the adjacent landowner to deliver the final connection to the PROW.
- A £10,000 contribution to be secured in the S106 in the event that the S25 or S26 process needs to be actioned. The S106 should also include the requirement for the applicant to cooperate fully with the Council (as Highway Authority) to secure the footpath link, and undertake not to pursue any costs from the highway authority regarding it's creation.

Recommended Planning Conditions and Informatives:

Secure Cycle Parking Condition

Prior to the occupation of the hereby approved dwellings, details of secure and covered cycle storage for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved cycle parking facilities for that dwelling have been provided.

Reason: To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

Highway Condition Surveys and Remediation Condition

Prior to the commencement of development (including ground works), a survey of the existing condition of the highway (the extent of highway to be surveyed to be agreed with the Local Planning Authority in advance) shall be carried out jointly with the Local Highway Authority and submitted to and approved in writing by the Local Planning Authority. The survey shall include all highway features, including carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signage and road markings. Upon completion of each phase of the development hereby approved (or at any earlier stage to be agreed with the Local Planning Authority in advance) a post-construction survey of the agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall be carried out following the completion of all construction works related to each phase of development and prior to the occupation of the final dwelling associated with each phase of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. Should any highways defects (affecting highway safety) attributable to the construction traffic or activities of the development hereby approved be identified during the construction period, remediation of these highway defects shall also be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to ensure the effective maintenance of the Highway, and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that the highway condition survey is undertaken at an appropriate stage of the development process, in advance of any construction works commencing that may affect the condition of the highway.

Construction Management Plan (CMP) Condition

Prior to the commencement of development (including ground works), a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include as a minimum details of:

- *Any phasing of development and timetable of works;*
- *Hours of works;*
- *Details of construction access arrangements;*
- *Construction vehicle sizes and routes (with swept path analysis testing if necessary);*
- *Numbers and times of construction vehicle movements;*
- *Locations of HGV waiting areas and details of their management;*
- *Details of parking for construction workers (including vans);*
- *Loading and unloading of plant and materials;*
- *Storage of plant and materials;*
- *Signage;*
- *Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;*
- *Street sweeping arrangements;*
- *Site manager and liaison officer contact details, including details of their remit and responsibilities;*
- *Temporary arrangements for waste management for affected properties during any temporary road closures/diversions that may be required.*

The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change there from shall take place without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid obstruction to the highway network and to avoid increased risks to highway safety are devised and agreed at an appropriate stage of the development process.

Management of waste – Condition

Where implementation of the development hereby approved is to be phased and / or any of the dwellings hereby approved are to become occupied, prior to the completion of the development and the adoption of the Estate Streets (including where it has been agreed that the streets are to remain private), details of the temporary and permanent arrangements for the storage and collection of waste from the dwellings, and the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The arrangements and collection points so approved shall be implemented prior to first occupation of the development and shall thereafter be managed and maintained in accordance with the approved details for the lifetime of the development.

Reason:- To ensure satisfactory arrangements are implemented in relation to waste, including during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

Management of waste – Informative

This condition is required as the Waste Collection Authority will not enter construction sites, nor will they routinely enter private drives or unadopted streets. Therefore, should the applicant's intentions regarding the adoption of streets change from that considered at the planning approval stage, this may necessitate changes to the developments waste strategy and the facilities that have been agreed in principle, which may require applications to vary the approved plans. For further information regarding the Waste Collection Authority requirements, see the following guidance note: <https://www.kirklees.gov.uk/beta/planning-applications/pdf/waste-management-design-guide-new-developments.pdf>

Vehicle and Pedestrian Spaces to be Laid Out – Condition

No dwelling or building shall be occupied within each development phase, until all areas and associated features shown within each development phase on the approved plans to be used by vehicles and pedestrians, including streets, footpaths, cycle tracks, loading, servicing and parking areas have been laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the adjacent highway, and shall thereafter be retained and maintained for the lifetime of the development.

Reason:- To ensure the free and safe use of the highway, in the interest of highway safety.

Approved Access – Condition

Means of access to and from the site shall be in accordance with the preliminary access arrangements shown on the approved plans and fully constructed and made operational prior to first occupation of the development and thereafter retained and maintained for the lifetime of the development.

Reason:- To ensure the free and safe use of the highway, in the interest of highway safety.

Approved Access – Informative

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es).

This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

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.

Preliminary street and footpath design details – Condition

Prior to commencement of development, the following details associated with the proposed estate streets (including the footpath connection to PROW HOL/91/20) as shown on the Proposed Site Plan - 2021.01.003 Rev V, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- *Geometric design of the street layout, including widths, radii, and horizontal & vertical alignment;*
- *Surface treatments;*
- *Junction visibility and forward visibility splays, and their treatment;*
- *Swept paths for the Kirklees Design Refuse vehicle and delivery vehicles;*
- *Street tree locations and species to be planted;*
- *Road markings;*
- *A 'highway areas plan' that confirms the extent of proposed highways (intended to be either adopted or privately maintained), including all streets, public footpaths and shared private drives;*
- *Design details for footpath connection to PROW HOL/91/20, including boundary treatments and access gate(s) in accordance with BS-5709-2018;*
- *Stage 1 Road Safety Audit (RSA) based on an Approved RSA Brief, Designers Responses and Agreed RSA Actions, covering all aspects of these works.*

The estate streets and footpath link shall be implemented in accordance with the approved details and thereafter retained and maintained for the lifetime of the development.

Reason:- To ensure the free and safe use of the highway, in the interest of highway safety and amenity.

This pre-commencement condition is necessary to ensure that preliminary street design details are approved at an appropriate stage of the development process.

Preliminary street and footpath design details – Informative

The discharge of the above condition does not constitute Technical Approval of the estate street works under Section 38 or 278 (or other relevant section) of the Highways Act 1980, for which separate approval is required from the Local Highway Authority.

S38 Agreement – Informative

The applicant should be aware that the internal street layout will need to be built to adoptable standards if offered for adoption under Section 38 of the Highways Act 1980. The applicant is advised to make early contact with the Highways Section 38 team at Highways.Section38@kirklees.gov.uk to initiate the Section 38 process, technical approval and agreement. Further information is available on the council's website at: [Highways Guidance Note - Section 38 Agreements for Highway Adoptions \(kirklees.gov.uk\)](#)

Any future applications for adoption under S37 must demonstrate to the satisfaction of the Highway Authority that all of the roads applied for under S37 have been constructed to an adoptable standard in accordance with [Highways Guidance Note - Section 38 Agreements for Highway Adoptions \(kirklees.gov.uk\)](#)

Until such time that the S38 (or S37) process has been fully completed and the Local Highway Authority have confirmed that the streets have been built to an acceptable standard (following the maintenance period), there is no guarantee that the streets will ultimately become adopted highway. Therefore, until the streets have been fully adopted, the purchasers of the properties will be responsible for the ongoing management and maintenance of the streets servicing their properties. It is the developers responsibility to inform the potential purchasers of the properties of the adoption status of the streets prior to purchase. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, should adoption not occur for any reason, which are described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers': [Highways Adoption \(publishing.service.gov.uk\)](#)

Off-site Highway Works – Condition

Prior to occupation of the development, the off-site highway works as shown on plan 22027/GA/01 Rev. D; comprising junction visibility, kerbing, signing, road marking, surfacing improvements and associated works at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road shall be fully constructed and made operational.

Reason:- To ensure the free and safe use of the highway, in the interest of highway safety.

Off-site Highway Works – Informative

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the works.

This process will involve entering into a Section 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

Interference with the highway without such permission is an offence which could lead to prosecution.

Highway Structures Conditions

- 1. Before the development commences, a full structural dilapidation survey of the existing dry stone highway retaining wall adjacent to Dobb Top Road shall be undertaken by a suitably qualified and experienced structural engineer and a copy of the report submitted to the Highway Structures team for record purposes. A further structural dilapidation survey of the retaining wall shall also be required following the completion of the works and any defects arising in the retaining wall due to the works associated with the proposed development shall be made good to the satisfaction of the Council's structures team, at the developer's expense.*
- 2. 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/ building retaining walls/attenuation tanks adjacent to the proposed adoptable/ existing highway including any proposed modifications to the existing highway retaining wall adjacent to Dobb Top Road shall be submitted to (via submission of AIPs) 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.*
- 3. Before the development commences a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint or influence zone of highway loading 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. See <https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-structural-procedures.pdf> for further details and in particular, for the certification of oversize pcc manholes and their cover slabs, as advised in this document.*

Highway Structures Informative

All new storm water attenuation tanks/pipes/culverts with internal diameter/ spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements.

The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450- Inspection of Highway structures.

Furthermore, all new precast pipes/ culverts/storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and must be accredited with a BBA (The British Board of Agrément Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate.