

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

**2023/91261 land at, Alexandra Road West, Paddock, Huddersfield, HD3 4EX**

**Erection of two detached dwellings with garages, regrading of land and erection of retaining walls to form access and turning area from Lower Gate**

**Date Responded: 26/07/2023.**

**Responding Officer: D. Stainsby**

**Responding Ref: K5-1SW/5**

This application is for the erection of 2 detached dwellings with parking and a new access on to Lowergate, a 30mph two-way single carriageway local link road of approximately 6.3m width with footways on both sides and street lighting present.

The site was subject to previous applications, The most recent being for two dwellings with the access from Lowergate which was refused. Part of the refusal was due to issues relating to the access to the parking areas.

#### RECOMMENDATION:

As submitted the proposals do not provide enough information for them to be acceptable to Highways.

The following information is required.

- A revised layout showing a widened access and the location of the proposed parking spaces serving the dwellings together with a swept path analysis to show that these vehicles can turn to leave the site in forward gear needs to be provided.
- Details of waste storage and collection for both dwellings should be provided, with the location of a waste collection presentation point being clearly marked on a drawing.

#### SITE ACCESS

There are parking bays opposite with no waiting at any time markings on the side of the proposals and double white centre lines along the frontage of the site.

There is evidence that the parking bays opposite are well used by residents and may be oversubscribed.

These restrictions may have an influence on the access to the proposal site.

The width of the dropped kerb crossing should be based on the swept path analysis and should be wide enough to make a turn in to the site easy and thus reduce the amount of time a vehicle will have to obstruct the adopted highway whilst entering the site, as due to the TRO markings, overtaking is not allowed at this location.

The minimum width should allow two vehicles to be able to pass one another.

The access is new and would be on to Lowergate and would need to be done through a s184 agreement with the council to create a new dropped kerb.

It should be noted that there is currently a telegraph pole and access chamber in place at the location of the proposed access and this would need moving by the correct process and authority. This should be conditioned.

Kirklees Highway Structures team have submitted separate comments concerning the retaining structures at the site. Their comments should be read in conjunction with these comments and their condition requests have not been repeated here.

No trip generation details were provided with the application; however, it is not considered that a proposal of this size and type will generate sufficient traffic as to have a severe impact on the operation or efficiency of the local highway network.

Drawing No 20.1127/(AL)40 shows 43m visibility splays can be achieved from the proposed access.

The visibility splay to the left is achievable over the front garden of the proposed dwellings and because of this we would like to see nothing permitted to be above 0.9m high within the visibility splay and this should be conditioned.

#### CAR PARKING

For this size and type of development, local guidance suggests that 2 off-street parking spaces are required for the 3 bedroomed dwelling and 3 off-street parking spaces are required for the 4 bedroomed dwelling and 3 per dwelling need to be provided to be fit for purpose need to be provided to be fit for purpose.

Drawing No 20.1127/(AL)40 shows 5 parking spaces comprising 4 located within two car ports and one driveway space.

The two car ports have internal dimensions of 6m x 6m and these would be acceptable for four parking spaces and the driveway parking is also acceptable in size.

However, the layout does not provide sufficient turning space within the car park to make all these spaces easily accessible.

The swept path provided, which is meant to show indicative vehicle turning within the site actually shows that vehicles are not able to turn within the site if the neighbouring spaces are occupied.

The applicant should provide a swept path analysis to show that all parking spaces can be accessed/egressed in forward gear from the highway.

This may require the parking layout to be redesigned to achieve this.

The approved vehicle parking areas will need to 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 13<sup>th</sup> May 2009 (ISBN 9781409804864) as amended or superseded.

[www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens](http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens)

Due to the TRO markings along Lowergate, we are unable to agree to any development that may create any demand for on street parking in this location..

#### WASTE STORAGE AND COLLECTION:

The location of the bin storage is shown on drawing No 20.1127/(AL)30 and this is acceptable for storage only.

No collection presentation points were provided in the drawing, and these should be clearly indicated in such a location that they do not cause an obstruction of the access, the parking or turning areas or the adopted highway or footway for road safety reasons and this should be conditioned.

Details of waste storage and collection for both dwellings (existing and proposed) should be provided, with the location of a waste collection presentation point being clearly marked on a drawing in such a location that is easily accessible to the collection team and where it will not obstruct the parking, access or the adopted highway for road safety reasons.

It should be noted that the collection of the bins from this location would be acceptable as there is an exemption from the double white centre-line TRO for municipal waste collection, however I've been advised by the Kirklees cleansing department that if there are issues with collecting adjacent to a solid white centreline, they may request that the bins are offered for collection from the car park, beyond the end of the double white centrelines

Details for waste storage requirements can be found in the document "Waste Storage and Collection Guidance for New Developments" which is available from [waste.planning@kirklees.gov.uk](mailto:waste.planning@kirklees.gov.uk).

Or at <https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx>).

#### CONDITIONS:

The vehicular crossing shall not be brought into use until the existing telegraph pole and access chamber has been relocated to a location which must be agreed by the appropriate authority and does not obstruct vehicle turning movements into the proposed parking area. Reason: In the interests of highway safety and to achieve a satisfactory layout Prior to the development being brought into use,

The sightlines of 2.4m x 43m along Lowergate, as shown on the approved plan, shall 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

Notwithstanding the details shown on the approved plan, no development shall take place until a scheme detailing arrangements and specification for layout of parking including a swept path analysis showing safe turning space has been submitted to and approved in writing by the Local Planning Authority. Before any building is 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

Before development commences, details of suitable bin presentation points and access for collection of wastes from the dwellings 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

Any retaining features affecting the highway will require formal technical approval by the Council as the Highway Authority. It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the highways structures team for works near or abutting highway and any retaining structures.

We would recommend providing details of all proposed retaining features and underground storage facilities (including pipes) to the structures team (01484 221000) at the earliest opportunity, who will be able to advise you of the necessary requirements in more detail.

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.