

**Consultation Response from KC,
Highways Development Management****2023/91787 adj, 219, Raikes Lane, Birstall, Batley, WF17 9QF****Discharge conditions 6 (electric charging points), 11 (hedges), 13 (footpath), 15 (carpark visibility) on previous permission 2022/92359 for erection of one dwelling****Date Responded:** 8th September 2023**Responding Officer:** C Dows**Responding Ref:** K13-3NE/14

The application seeks to discharge conditions 13 – Footway details and 15 - Visibility splay as set out below of application 2022/92359.

13. Notwithstanding the details shown on the approved plans, no development shall take place until a scheme detailing arrangements and specification for the provision of a 1.8m wide footway between the existing footway on Raikes Lane and the link footway between Raikes Lane and Geldard Road have 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: In the interests of highway safety and to allow for safe pedestrian access to and from the site and to accord with Policy LP22 of the Kirklees Local Plan.

15. Nothing shall be permitted to be planted or erected within a strip of land 2.0m deep measured from the carriageway edge of Raikes Lane along the south-western frontage of the site beyond the approved parking bays which exceeds 1.0m in height above the level of the adjoining highway. The visibility splays shall be retained thereafter.

Reason: To ensure adequate visibility in the interests of highway safety and to accord with Policy LP22 of the Kirklees Local Plan.

The information submitted has been reviewed and is considered sufficient to enable discharge of both conditions.

Note:

Notwithstanding, that the conditions can be discharged the Applicant/Developer needs to be made aware that this does not override any private legal rights or consents that may be required. It is the responsibility of the Applicant/Developer to ensure that all appropriate consents are in place prior to any development commencing. The discharge of conditions does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. Contact the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. 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.