

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

**2023/92475 land at, Owl Lane, Chidswell, Dewsbury**

**Discharge of condition 7 (cycle infrastructure improvements) of previous permission 2019/92787 for erection of 260 dwellings with open space, landscaping and associated infrastructure**

**Date Responded:** 5<sup>th</sup> January 2024

**Responding Officer:** C Dows

**Responding Ref:** K15-11/1

The works required to discharge Condition 7 (set out below) requires the Applicant (BDW) to enter into a S278 Agreement with the Highway Authority, speaking to colleagues in the S278 Team it appears that no one from the Applicants Team have been in contact with regards to S278 approval or entering in to a S278 Agreement. The DoC submission consists of a general arrangement drawing, Drawing No. CDW-WSP-CYC-ZZ-DR-C-001 Rev. P02, which provides insufficient information for DoC or S278 approval purposes.

In order to start the S278 process please contact: [Kumaravel.Kurusamy@kirklees.gov.uk](mailto:Kumaravel.Kurusamy@kirklees.gov.uk)

**Condition 7**

*Prior to development commencing on the superstructure of any dwelling hereby approved, a detailed scheme for the provision of infrastructure improvements for use by cyclists between the Leeds Road / Challenge Way / John Ormesby VC Way junction (the Shaw Cross junction) and the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, details of surface finishes and any white lining and signing, an independent safety audit covering all aspects of this work, and details of the delivery of the scheme under an appropriate Section 278 approval. Unless otherwise agreed in writing by the Local Planning Authority, no more than 100 dwellings of the development hereby approved shall be occupied prior to the implementation of the approved scheme.*

**Reason:** *To ensure residents of the development are encouraged to use sustainable forms of transport and to mitigate the highway and air quality impacts of the development in accordance with policies LP20, LP21, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.*

**In Summary:** The information submitted provides insufficient detail to enable discharge of condition 7 or S278 approval – the condition should not be discharged.