

Consultation Response from KC, Highways Development Management (HDM)

Land at Blue Hills Farm, Whitehall Road West, Birkenshaw, BD11 2DU

Discharge of Conditions 3 (2023/92089), 4 (2023/92090) and 10 (2023/92719) of previous Reserved Matters approval ref: 2022/91047 for development of 91 dwellings, pursuant to outline permission 2019/90527 (for erection of up to 127 dwellings, with details of access).

Date Responded: 21/08/24 | Responding Officer: A. Darwin | Responding Ref: HDC 8-6/5

RECOMMENDATION: The pre-commencement element of Conditions 3, 4, & 10 of 2022/91047 can be discharged.

Condition 3 (DoC application 2023/92089)

Condition 3 of 2022/91047 states:

3. There shall be no commencement of each phase of the development hereby permitted, except for establishing a site compound for the undertaking of ground investigations, until a detailed scheme for the proposed internal roads, footways and footpaths has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, programme of works and phasing, swept paths for a 11.85m refuse vehicle, full sections, drainage details, street lighting, signing, surface finishes, No Waiting restrictions and the treatment of sight lines, together with an independent road safety audit covering all aspects of these works, together with supporting information relating to the retained overhead power lines and their impact on highways works and development layout. No part of the development shall be brought into use until the internal roads and other associated structures for that part of the development have first been completed in strict accordance with the approved plans and details, unless having first been agreed in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to achieve a satisfactory layout, in accordance with Policies LP20 and LP21 of the adopted Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

The Councils Section 38 Highway Adoption Team have confirmed that Technical Approval has now be granted to the internal highway works design. Therefore, the pre-commencement element of condition 3 can now be discharged.

However, it is noted that the applicant does not appear to have submitted the final package of approved S38 drawings for DoC purposes. Therefore, the following technically approved drawings should be submitted by the applicant, for inclusion on the planning file:

- 09.21011-ACE-00-ZZ-DR-C-1021 - P3 - Overland Flow Routing
- 09.21011-ACE-00-ZZ-DR-C-1200 - P26 - S104 Drainage Layout - Sh.1
- 09.21011-ACE-00-ZZ-DR-C-1201 - P17 - S104 Drainage Layout - Sh.2
- 09.21011-ACE-00-ZZ-DR-C-1202 - P15 - S104 Drainage Layout - Sh.3
- 09.21011-ACE-00-ZZ-DR-C-1230 - P6 - S104 Drainage Details - Sh.1
- 09.21011-ACE-00-ZZ-DR-C-1231 - P5 - S104 Drainage Details - Sh.2
- 09.21011-ACE-00-ZZ-DR-C-1310 - P17 - S104 Foul Sewer and Surface Water Manhole Schedule
- 09.21011-ACE-00-ZZ-DR-C-1311 - P15 - S104 Demarcation and Manhole Schedule
- 09.21011-ACE-00-ZZ-DR-C-2000 - P10 - S38 General Arrangement - Sheet 1
- 09.21011-ACE-00-ZZ-DR-C-2001 - P9 - S38 General Arrangement - Sheet 2
- 09.21011-ACE-00-ZZ-DR-C-2020 - P9 - S38 Kerbing Layout Phase 1
- 09.21011-ACE-00-ZZ-DR-C-2080 - P6 - S38 Highway Details Sheet 1
- 09.21011-ACE-00-ZZ-DR-C-2081 - P4 - S38 Highway Details Sheet 2
- 09.21011-ACE-00-ZZ-DR-C-2110 - P6 - S38 Gully Impermeable Area Plan - Phase 1
- 09.21011-ACE-00-ZZ-DR-C-2130_P5 - S38 Highway Longsections

- 09.21011-ACE-00-ZZ-DR-C-2190 - P4 - S38 Contour Plan - Phase 1
- 09.21011-ACE-00-ZZ-DR-C-2192 - P1 - S38 Drainage Channels
- 09.21011-ACE-00-ZZ-DR-C-2195 - P5 - S38 Legal Plan
- 09.21011-ACE-00-ZZ-DR-C-2197 - P1 - S38 Location Plan
- 09.21011-ACE-00-ZZ-DR-C-3200 - P16 - External Levels - Sh.1
- 09.21011-ACE-00-ZZ-DR-C-3201 - P12 - External Levels - Sh.2
- 09.21011-ACE-00-ZZ-DR-C-3401 - P7 - Adoptable External Build Ups Phase 1
- 4035.20.104_Vehicle tracking overlay H
- 6781-1a Street Lighting
- DR-5947-01.01_Landscape Masterplan - Sheet 1_D
- DR-5947-01.02_Landscape Masterplan - Sheet 2_D
- 13813-003 - grout hole layout

Condition 4 (DoC application 2023/92090)

Condition 4 of 2022/91047 states:

4. Notwithstanding the information shown on plan ref: 21205/GA/01 Revision G (Proposed Roundabout Works, dated 12/01/2023), there shall be no commencement of each phase of the development hereby permitted, except for establishing a site compound for the undertaking of ground investigations, until full details of the permanent site entrance and associated alterations to the A58 (Whitehall Road/Heathfield Lane) roundabout, including combined cycle/footway works, improved crossings and refuge islands, No Waiting restrictions, closure of existing field accesses, and all other associated works has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of vehicle swept paths, sight lines, treatment of visibility splays, verges, road markings, signage, crossings, constructions specifications, surface finishes and street lighting, an independent road safety audit covering all aspects of these works. Unless otherwise having been first agreed in writing with the Local Planning Authority, there shall be no occupation of the development until the approved works have been implemented in strict accordance with the approved details.

Reason: In the interests of highways and road user/pedestrian safety and to achieve a satisfactory layout, in accordance with Policies LP20 and LP21 of the adopted Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

The Councils Section 278 Highway Design Team have confirmed that Technical Approval has now be granted to the external highway works design. Therefore, the pre-commencement element of condition 4 can now be discharged.

However, it is noted that the applicant does not appear to have submitted the final package of approved S278 drawings for DoC purposes. Therefore, the following technically approved drawings should be submitted by the applicant, for inclusion on the planning file:

- 09.21011-ACE-OO-ZZ-DR-C-2200-P7 - General Arrangement Drawing
- 09.21011-ACE-OO-ZZ-DR-C-2392-P2 - Roundabout Geometry Sheet 1 of 4
- 09.21011-ACE-OO-ZZ-DR-C-2393-P2 - Roundabout Geometry Sheet 2 of 4
- 09.21011-ACE-OO-ZZ-DR-C-2394-P2 - Roundabout Geometry Sheet 3 of 4
- 09.21011-ACE-OO-ZZ-DR-C-2395-P2 - Roundabout Geometry Sheet 4 of 4
- 21205/GA/01-G - Swept Path Analysis and Visibility Splays
- 4035.20.104-G - Vehicle Tracking Overlay
- 4035.20.105-X - Site Layout
- 09.21011-ACE-OO-ZZ-DR-C-2370-P5 - Site Clearance Drawing
- 09.21011-ACE-OO-ZZ-DR-C-2300-P2 - Drainage Layout
- 09.21011-ACE-OO-ZZ-DR-C-2390-P1 - Gully Catchment Plan
- 09.21011-ACE-OO-ZZ-DR-C-2205-P5 - Pavement Layout
- 09.21011-ACE-OO-ZZ-DR-C-2190-P3 - S38 Contour Plan (also includes s278 contours)
- 09.21011-ACE-OO-ZZ-DR-C-2201-P4 - Proposed Road Markings

Condition 10 (DoC application 2023/92719)

Condition 10 of 2022/91047 states:

10. There shall be no commencement of each phase of development hereby approved until a survey of the existing condition of the highway (the extent of highway to be surveyed shall be agreed in advance with the Local Planning Authority) has first been carried out jointly with the Local Highway Authority and submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edging, street lighting, signing and white lining. Upon completion of each phase of the development hereby approved (or at any earlier stage to be first agreed with the Local Planning Authority), 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 of each phase, unless otherwise having been first agreed in writing by the Local Planning Authority. Should any highways defects (affecting highway safety) attributable to the construction traffic of the development be identified during the construction period, remediation of these shall also be implemented in accordance with details to be first submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to ensure the effective maintenance of the highway network, in accordance with Policy LP21 of the adopted Kirklees Local Plan.

A Condition Survey dated 11/09/23 (ref. JC/SR/Blue Hills Farm, by Countryside Partnerships) has been submitted to discharge the pre-commencement element of condition 10. As confirmed in the submitted report, the Condition survey was undertaken via a walkover survey undertaken jointly with a representative of the Highway Authority.

The submitted report is acceptable, and the pre-commencement element of Condition 10 can now be discharged.