

Consultation Response from KC, Highways Development Management (HDM)
2023/93503 Land off Roslyn Avenue, Netherton, Huddersfield, HD4 7EW
Outline application for residential development of 82 dwellings and associated works, with layout and access as considerations.
Date Responded: 23/04/24
Responding Officer: A Darwin
Responding Ref: 3-24/14
RECOMMENDATION: No objection, subject to conditions
Development Overview:

The site is located in Netherton to the southwest of the village centre, and is proposed to be accessed by an extension to Roslyn Avenue, which then connects to the wider highway network (B6108 Meltham Road) via Henry Frederick Avenue. The site is allocated for residential development in the Local Plan, with a site reference of HS18 that has an indicative capacity of 132 dwellings.

An outline planning application has been submitted, with all matters reserved, except for access and layout. The proposals include 82 no. dwellings (76 houses and 6 apartments), with the following schedule of accommodation proposed:

No. of Bedrooms	Market Housing	Affordable Housing		Total Housing
		Rent	Intermediate	
1 Bedrooms	0 (0%)	4 (44%)	2 (29%)	6 (8%)
2 Bedrooms	28 (42%)	2 (22%)	3 (42%)	33 (40%)
3 Bedrooms	26 (39%)	1 (12%)	2 (29%)	29 (35%)
4 Bedrooms	12 (18%)	2 (22%)	0 (0%)	14 (17%)

A pre-application enquiry was submitted for the development (ref. 2023/20431) in 2023, and detailed comments were provided by HDM. The scope of the Transport Assessment provided in support of the proposals was also agreed at the pre-application stage. HDM have previously provided comments on the proposals on 12/02/24, confirming that the development is acceptable in principle, but that further information and amendments were required.

The applicant has now satisfactorily addressed all of the outstanding issues, and HDM have no objection to the proposals, subject to the conditions and S106 obligations identified at the end of these comments.

The following comments are an updated version of the previous comments provided by HDM on 12/02/24 relating to the finalised submission information.

Reference to Plans/Documents:

- Planning Case Report, dated 23 November 2023;
- Transport Assessment Report, dated November 2023 (Rev 1);
- Travel Plan Report, dated November 2023 (Rev 1);
- Proposed Highway Site Layout (Optima Highways Drawing No. 23046/IN/20/A)
- Refuse Vehicle Swept Path Analysis (Optima Drawing No. 23046/ATR/10/E & 23046/ATR/12/B);
- Proposed Off-Site Improvements (Optima Drawing No. 23046/GA/01);
- Proposed Site Layout (Ellis Healey Drawing No.2246 PL 105 Rev D);
- Proposed Level Strategy (Fortem Drawing No. 1174 – 001 Rev C);
- Long Sections Adopted Highway (Fortem Drawing No. 1174-006);
- Long Sections Footpath Links (Fortem Drawing No. 1174-007).

Policy:

Local Plan Policies - LP5, LP19, LP20, LP21, LP22, LP23, LP24; Kirklees Highway Design Guide SPD, Housebuilder Design SPD, NPPF.

Site Access:

Access to the development is proposed by an extension of Roslyn Avenue, which has a circa 6.75m wide carriageway and footways on both sides. The proposed carriageway then gradually tapers down to 5.5m wide within the site, with 2m wide footways provided.

There is a sub-station located to the north of Roslyn Avenue immediately on entry to the site, and the proposal plans show access will be maintained, with the adoptable highway extended to the sub-station land and a dropped kerb provided to enable maintenance access.

Vehicular access to the site from the wider network will primarily be via Henry Frederick Avenue, which then connects to the B6108 Meltham Road. At present, the junction of Roslyn Avenue / Henry Frederick Avenue is relatively wide and does not include any road markings to define the priority route through the junction. Therefore, as requested by HDM at the pre-application stage, the applicant has proposed to provide give-way markings at the junction (across the Henry Frederick Avenue arm), as shown on Optima Drawing No. 23046/GA/01. These proposed road marking improvements are acceptable in principle, and have been subject to a Stage 1 Road Safety Audit that has not identified any issues with their design. Therefore, these improvements should be secured by planning condition.

It was identified by HDM at the pre-application stage that there is a significant amount of on-street parking taking place on Henry Frederick Way, which may affect access to the development site. Therefore, the applicant was requested to undertake on-street parking surveys to determine whether any mitigation measures are required, including the introduction of localised no waiting restrictions. The applicant has provided the requested parking survey data in the Transport Assessment report, with parking observations undertaken at 5:30am (when most residents will be at home) on Wednesday 14th and Thursday 15th June 2023. These surveys confirmed that there were up to 10 cars/vans parked on Henry Frederick Way, with the Transport Assessment suggesting there is available capacity for circa 21 cars (It is noted that HDM have checked the on-street parking opportunities that exist on Henry Fredrick Way, and there is scope to park circa 14 cars/vans on the west side of the street alone without blocking of any drives, therefore the parking capacity identified in the TA is considered to be a conservative estimate).

Based on the above findings, there is currently no need to provide any 'no waiting' restrictions on Henry Frederick Way; and the development will not increase parking on Henry Frederick Way as adequate development parking is provided within the site (see further comment relating to development parking below).

It is noted that some local residents who have commented on the proposals have suggested that more cars park on Henry Frederick Way than have been shown in the applicants surveys. This includes a number of objections that have included photos that suggest circa 14+ cars/vans parked on-street. Whilst it is acknowledged that there will be daily variations in the level of on-street parking, no evidence has been provided that demonstrate that more than 21 cars park on street (e.g. the streets theoretical capacity as identified in the Transport Assessment). Therefore, the above conclusions are considered to remain valid.

Development traffic accesses the wider highway network at the Frederick Avenue / B6108 Meltham Road, which includes hatched junction markings to improve junction visibility from the minor arm. As requested at the pre-application stage, the applicant has confirmed in their Transport Assessment that 2.4x43m+ visibility splays are available at the junction, which are required based on the 30mph speed limit.

The Transport Assessment includes an assessment of road traffic collision data on the local highway network over the latest 5 year period, and confirms that there are no patterns or trends within the study area, with no injury related incidents recorded on Roslyn Avenue or Henry Frederick Avenue, including the junction with Meltham Road.

In summary, based on the findings of the Transport Assessment, HDM consider that the proposed site access arrangements are acceptable.

Site Layout/Servicing/Waste Collection:

Pre-application advice was provided to the applicant regarding the site layout, together with further requests for amendments during the course of the planning determination period. The applicant has responded to all of these comments, with the final layout including a number of positive elements including a loop road, street trees and verges, visitor parking in laybys and street geometry that accords with the Councils Highway Design Guide SPD. Swept Path Analysis (SPA) has also been provided to confirm that all turning heads are adequate. The site layout has also been subject to a Stage 1 Road Safety Audit, which has not identified any safety problems. Therefore, in principle the site layout is acceptable, with final details to be agreed at the detailed design stage and secured by planning condition.

Parking:

As stated in the Transport Assessment report, the proposed development provides 2 off-street car parking spaces for 2 to 3 bedroom houses and 3 off-street parking spaces for 4+ bedroom houses, which are located within the curtilage of each property. For the 1 bedroom apartments, 1 off-street parking spaces per unit will be provided. All dwellings will be provided with an EV charging point.

In light of the above, the off-street car parking provision for all dwellings is in accordance with guidance contained in the Councils Highway Design Guide SPD. However, this is subject to the dwellings that include garages having minimum internal dimensions of 3x6m, which will need to be demonstrated when the detailed design of the dwellings is considered at the reserved matters stage.

The development layout includes 21 visitor parking laybys, which include 20 spaces located within the estate roads that are to be offered for adoption, and 1 additional space on the private drive serving plots 1-4. This level of visitor parking provision is in accordance with the minimum recommended provision in Councils Highway Design Guide SPD of 1 space per 4 dwellings, are well spread out across the site and are all located in formalised laybys. Therefore, the visitor parking provision is acceptable and is well designed.

Following previous queries by HDM, the applicant has confirmed that cycle sheds are to be provided for all individual dwellings, and a communal store for the flats, all of which will be accessible via external routes. These proposals are acceptable in principle, with the final details secured by planning condition, which will require secure cycle parking that can accommodate a range of cycle types to ensure that it is inclusive (See DfT document LTN 1/20 for further guidance cycle parking requirements).

PROW:

Footpath HUD/228/10 runs along the southern boundary of the site, which is proposed to be improved with a crushed stone surface with timber edging. Links to this PROW are proposed from the estate road footways, which include a 2m wide stepped route with tarmac surfacing and a 2m wide ramped route with crushed stone surfacing, connecting to the existing PROW at the southeast and southwest corners of the site respectively. These links are acceptable in principle and are welcomed.

Final details of the footpath links (including drainage, construction specification, surfacing etc.) and their delivery will need to be secured by condition, with public access rights maintained thereafter secured via a S106 obligation.

It is noted that HDM have previously queried the proposed gradients of the footpath links, and whether they would be adequately drained. The applicant has provided this further information, including information relating to the drainage of the PROW along the southern site boundary. This confirmed that a drainage channel is to be provided along the eastern section of the site boundary, which appears to address the drainage issue for this section of PROW. However, no drainage information has been provided for the western section, which will need to be incorporated at the detailed design stage. Notwithstanding this, based on the information provided, it has been demonstrated that adequate drainage can be incorporated at the detailed design stage.

Footpath HUD/223/40 runs to the north of the site through the woodland, and a formalised link to this PROW has been proposed. Also, as requested by the PROW team, a further link has been proposed from the section of estate road between no's 38 & 39, to link the site to the Council owned recreation land located immediately to the east of the site boundary. Both of these links are proposed to be 2m wide, with a crushed stone surface and timber edging. Suitable gradients have also been demonstrated for these routes (e.g. no steeper than 1:12). Again, final details of these footpath links (including drainage, construction specification, surfacing, gate/wall treatments and control measures to prevent unauthorised access by motorcyclists etc.) and their delivery will need to be secured by condition, with public access rights maintained thereafter secured via a S106 obligation.

Accessibility and Travel Plan:

The site is allocated in the Local Plan for residential development and the accessibility of the site was assessed as part of this process and is considered acceptable. The supporting Transport Assessment also includes a review of the facilities within walking and cycling distance of the site, which confirms that there a range of local facilities that are accessible of foot and by cycle.

The main bus stops to the site are located on Meltham Road, circa 350m walk from the centre of the site. The stops are served by the 321, 324, 354 & 355 services, which provide frequent services between Meltham and Huddersfield (4 buses per hour to/from Huddersfield). There are also virtual stops on Roslyn Avenue and Henry Frederick Avenue for the 354/355 services that travel along these roads.

WYCA have been consulted regarding the proposals and have confirming the following:

'The site is an allocated site and benefits from relatively good public transport access, notably via the 324 bus service that is a core service between Meltham and Huddersfield. The linear nature of the site inevitably means that parts of the site are more accessible than other parts, but we are encouraged to see that the layout of the site incorporates footpath access to the south eastern corner of the site which leads to Meltham Road.'

Meltham Road is likely to be the main public transport access point. Ideally, we would like to see the provision of bus shelters but the footpath widths and proximity of the stops to existing dwellings mean shelters may not be deliverable. However, we do suggest that real time information enabled bus stop poles should be installed at stops 19220 and 19219. The cost of this would be £10,500 per stop.'

HDM agrees with WYCA's findings and recommend that real-time displays are provided by the development at stops 19220 and 19219. This will require a S106 contribution of **£21,000**, which has been agreed with the applicant.

Alongside the bus stop improvements, WYCA have also recommended that a Sustainable Travel Fund is provided by the development, which Kirklees Council require for all residential sites that have a formal Residential Travel Plan (typically where 50 units or more are proposed). The Sustainable Travel Fund value should be based on the Residential MCard scheme value for a bus only MCard, which is currently £511.50 per dwellings. This equates to a Sustainable Travel Fund value of **£41,943**, based on the 82 dwellings currently proposed and should be secured by S106 agreement, which has again been agreed with the applicant.

As the development includes over 50 dwellings, a Travel Plan is required. A draft Residential Travel Plan has been submitted with the planning application, which will need be developed further prior to occupation, and include the above Sustainable Travel Fund and associated measures that have been agreed with the LPA. As such, the details of the final Travel Plan should be secured by condition, and the Travel Plan implemented upon first occupation.

Kirklees Council will require a Travel Plan Monitoring Fee to be secured as part of the S106 agreement. For a development of this scale (classed as a 'small scale major residential development') the fee is **£10,000.00 (£2,000 per year for 5 years)**, which has been acknowledged and agreed with the applicant.

Traffic Impact/Network Assessment:

The scope of the Transport Assessment (TA) was agreed during pre-application discussions and is based on current guidance and industry standard methodology.

As requested by HDM, a bespoke trip rate has been obtained for the development, based on traffic survey data obtained from the local residential area. As identified in the Transport Assessment report, this provides a higher trip rate than using generic TRICS trip rates, and provides for a robust basis for assessment. The bespoke trip rates that have been used, and the associate development trips are shown in the following tables:

Table 5.1 Bespoke Proposed Vehicular Trip Rate

Time Period	Vehicular Trip Rates (per dwelling)		
	Arrivals	Departures	Total
AM Peak 08:00-09:00	0.240	0.318	0.558
PM Peak 17:00-18:00	0.364	0.233	0.597

Table 5.2 Proposed Development Vehicular Trip Generations – Bespoke

Time Period	Vehicular Trip Generations (tested for 82 dwellings)		
	Arrivals	Departures	Total
AM Peak 08:00-09:00	20	26	46
PM Peak 17:00-18:00	30	19	49

The impact of development traffic has then been assessed on the local highway network utilising the following assessment approach:

- Weekday peak hour traffic assessment undertaken, using base survey data obtained on Wednesday 14th June 2023;
- Traffic assessment have been undertaken at a design year of 2028, with traffic growth applied using TEMPro traffic growth rates;
- Committed development traffic from Application ref. 2019/91730 (Land North of Scotgate Road) and Application ref. 2019/93550 (Holmfirth (Land East and West of Netherton Moor Road) have been included in the base situation;
- Development traffic distribution has been based on observations of the existing traffic distribution on the local highway network.

As agreed at the pre-application stage, only junctions where there would be an increase in 30 two-way weekday peak hour vehicle trips have been assessed in the Transport Assessment, which includes the Roslyn Avenue/ Henry Fredrik Avenue junction (J1) and the Henry Frederik Avenue/Meltham Road junction (J2). These assessments demonstrate that the junctions will continue to operate within capacity following the introduction of development traffic.

The Transport Assessment goes on to conclude that:

'7.4.10 In terms of highway capacity, the impact of the development does not trigger the requirement for any mitigation and there are no specific highway safety concerns that currently exist at these junction. Therefore, the junction will continue to operate safely and satisfactorily with the addition of the proposed development trips.'

HDM generally agrees with the above findings.

Construction Access Strategy

A Construction Management Plan (CMP) is required for the development and should be secured by planning condition, which must specifically include details of wheel washing facilities and street cleansing. Highway condition surveys (pre and post construction) and remediation is also required, and secured by condition.

HDM Suggested Section 106 Contributions/Requirements:

- Sustainable Travel Fund / Residential MCard - **£41,943.00** (£511.50 per dwelling);
- Travel Plan monitoring fee - **£10,000.00** (£2,000 x 5yrs);
- Travel Plan Implementation and management, including appointment of Travel Plan Co-ordinator;
- 2 No. Real-time displays at bus stops 19220 and 19219 - **£21,000.00**;
- Provision of PROW links to HUD/228/10, HUD/223/40 & recreation land, including ongoing maintenance and public access.

HDM Suggested Conditions:**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.

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.

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.

Site Access and Off-site Highway Works Condition

Prior to above ground works commencing, notwithstanding the information shown on drawing 23046/IN/20/A and 23046/GA/01, full details of the permanent site access works and the road marking improvements at the Roslyn Avenue / Henry Frederick Avenue junction shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of vehicle swept paths for a 11.85m refuse vehicle, sight lines, treatment of visibility splays, road markings, signage, crossings, construction specifications and details, levels and sections, kerbing, drainage, surface finishes and street lighting, and independent road safety audits covering all aspects of these works. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be brought into use until the approved works have been fully implemented.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that access to the site and associated works are designed and approved at an appropriate stage of the development process.

Internal Estate Streets Condition

Prior to above ground works commencing, notwithstanding the information shown on drawing 23046/IN/20/A, a detailed scheme for the proposed internal estate streets to an adoptable standard, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of vehicle swept paths for a 11.85m refuse vehicle, sight lines, treatment of visibility splays, road markings, signage, crossings, construction specifications and details, levels and sections, kerbing, drainage, surface finishes, street trees and street lighting, and independent road safety audits covering all aspects of these works. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be brought into use until the approved works have been fully implemented and maintained thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that access to the site is designed and approved at an appropriate stage of the development process.

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.

Footpath Condition

Prior to above ground works commencing, a scheme for the upgrade of public footpath HUD/228/10 and associated links from the estate streets, and new footpath links to public footpath HUD/223/40 to the north of the site and the recreational land to the east of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the program of works and phasing, detailed drawings showing levels and sections, gradients, construction details, surface materials, drainage and boundary treatments. No part of the development shall be brought into use until the new public footpath links and upgrade works have been completed in accordance with the approved plans and details, and shall be maintained in that manner thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure new and affected Public Rights of Way are accessible, attractive, maintained to an acceptable standard and appropriate for their operation in accordance with Policies LP20, LP21, LP23, LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details relating to Public Rights of Way are agreed at an appropriate stage of the development process.

Travel Plan Condition

Prior to the first occupation of any part of the development hereby approved, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include proposals for enabling and encouraging the use of active and sustainable modes of transport, monitoring, review and timings for delivery. The approved Travel Plan and measures shall be implemented prior to occupation or in accordance with the agreed timescales, or as otherwise agreed with the Local Planning Authority.

Reason: In the interests of enabling and encouraging the use of active and sustainable transport modes, to mitigate the air quality impacts of the development and to accord with Policies LP20, LP21, LP22, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

HDM Informative Notes:

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 highway works.

This process will involve entering into Section 38 / 278 agreements of the Highways Act 1980 or other appropriate agreements to enable delivery of the highway 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 the required permission(s) is an offence that could lead to prosecution.

KC Structures Conditions and Informative Notes:

1) 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.

Important Notes:

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.