

**Consultation Response from KC,  
Highways Development Management****2023/93704 land northwest of, Urban Terrace, Denby Lane, Grange Moor, Huddersfield, WF4  
4EB****Erection of 12 dwellings and associated works****Date Responded: 14/02/2025****Responding Officer: Ryan Kinder****Responding Ref:K16-6/38**

2023/93704 land northwest of, Urban Terrace, Denby Lane, Grange Moor

RECOMMENDATION: No objection subject to conditions.

**Development Overview:**

The site takes access off Denby Lane in the village of Grange Moor, the site is located between the junctions of Stoneroyd and Denby Park Drive.

**Reference plans/documents:**

- Site Layout – ref 22D26-FBA-ZZ-XX-DR-A-0719-P09 dated 26/11/24.
- Transport Statement – ref 23102-Issue 3 dated 9 September 2024.
- stage 1 safety audit-ref 2024-12 Grange Moor RSA1 – REV 0.
- stage 1 safety audit designers response- ref 2024-12-Grange Moor RSA- REV 0.
- highway areas plan – ref 22D26-FBA-ZZ-XX-DR-A-0750- REV 03 dated Feb 2025.

**Internal Layout**

The internal layout is not to be offered for adoption as indicated on the submitted highway areas plan (ref 22D26-FBA-ZZ-XX-DR-A-0750- REV 03), whilst the Councils refuse collection team may enter the unadopted road to collect refuse from each dwelling, if this is not the case then as a fall back position a refuse collection point has been indicated adjacent to Denby Lane. This may require residents to present bins for collection at this location on bin collection days.

A stage 1 safety audit and designers response has been undertaken and submitted and considered acceptable.

A scheme of works is required to improve pedestrian links to the site to tie into the existing footway on Denby Lane. This will be secured via condition accordingly.

Overall the proposal is considered acceptable, please include the following highways conditions:

**Areas to be surfaced and drained**

Unless otherwise agreed in writing, prior to the development being brought into use, the approved vehicle parking areas shall 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on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superceded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout.

#### Visibility Splays to be provided

Before development commences, any obstruction shall be set back to the rear of the proposed visibility splays as shown on approved plan number 22D26-FBA-ZZ-XX-DR-A-0719-P09 and shall be cleared of all obstructions to visibility and tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason: To ensure adequate visibility in the interests of highway safety

#### Footway to be Provided

The development shall not be first occupied until a footway 2.0m metres wide has been provided along the site frontage as shown on plan no 22D26-FBA-ZZ-XX-DR-A-0719-P09, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The footway so approved shall thereafter be retained.

Reason: In the interests of highway safety and to allow for safe pedestrian access to and from the site.

#### Approved Access – Condition

Means of access to and from the site shall be in accordance with the preliminary access design(s) as shown on the approved plan ref. 22D26-FBA-ZZ-XX-DR-A-0719-P09 and fully constructed and made operational prior to first occupation of the development and thereafter retained and maintained for the lifetime of the development.

Reason:- To ensure the free and safe use of the highway, in the interest of highway safety.

#### Approved Access - Informative

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 site access(es).

This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the 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 such permission is an offence which could lead to prosecution.

#### Management and Maintenance of Private Estate Streets – Informative

The applicant is advised that it is their responsibility to inform the potential purchasers of the properties served by any unadopted streets that the streets will remain unadopted and provide details of the ongoing management and maintenance requirements and their obligations. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, which are described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers': Highways Adoption ([publishing.service.gov.uk](http://publishing.service.gov.uk))

The applicant is advised to consult with the Local Highway Authority guidance document on 'Private Streets and the Advance Payments Code': Highways guidance note: Private Streets and the Advance Payments Code ([kirklees.gov.uk](http://kirklees.gov.uk))

#### Management of waste - Condition

Where implementation of the development hereby approved is to be phased and / or any of the dwellings hereby approved are to become occupied, prior to the completion of the development and the adoption of the Estate Streets (including where it has been agreed that the streets are to remain private), details of the temporary and permanent arrangements for the storage and collection of waste from the dwellings, and the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The arrangements and collection points so approved shall be implemented prior to first occupation of the development and shall thereafter be managed and maintained in accordance with the approved details for the lifetime of the development.

Reason:- To ensure satisfactory arrangements are implemented in relation to waste, including during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

#### Management of waste – Informative

This condition is required as the Waste Collection Authority will not enter construction sites, nor will they routinely enter private drives or unadopted streets. Therefore, should the applicant's intentions regarding the adoption of streets change from that considered at the planning approval stage, this may necessitate changes to the developments waste strategy and the facilities that have been agreed in principle, which may require applications to vary the approved plans. For further information regarding the Waste Collection Authority requirements, see the following guidance note:

<https://www.kirklees.gov.uk/beta/planning-applications/pdf/waste-management-design-guide-new-developments.pdf>

#### Construction access

Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the LPA. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the LPA, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

#### Defects Survey

The development shall not commence until a survey of the existing condition of the highway on Denby Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on St Mary's Avenue shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before an part of the development is first brought into use.

Reason: In the interests of highway safety and to ensure the maintenance of the highway

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Previous comments Dated 07/11/2024

#### Vehicular access:

It is proposed to access the site via one existing singular point of access off Denby Lane which is adopted, Suitable visibility splays have been demonstrated of 2.4m x 43m and will be secured via condition.

Having consulted with the Councils Highway Safety team they have advised that there is an existing level of on street parking adjacent to development in the vicinity of Urban Terrace, to improve the situation and maintain a safe level of visibility they have suggested that a scheme to improve visibility and parking is provided and will be conditioned accordingly.

#### Internal Layout

Clarification is sought on the intention of having the internal layout to be adopted by the Council, the proposed layout as it stands appears to be suitable for this, however if the internal layout is to remain private then a refuse vehicle will not be obliged to enter any of the site which is intended to remain unadopted. In addition a refuse collection point and turning for a refuse vehicle at that location will be required if not adjacent to Denby Lane.

A plan detailing the intended area for adoption or to remain private is requested, this 'Highways Area Plan' plan will form part of the approved planning documentation, should amendments be required in terms of the areas to be adopted etc if planning is approved then a section 73 application will be required to vary this. An example of the requirements of this plan can be obtained by contacting me direct.

A stage 1 safety audit in accordance with GG119 and designers response is requested for the proposed development internal layout. A scoping brief will need to be submitted and agreed with the Councils Highway Safety audit team with any amendments required prior to or as a result of its undertaking.

#### Parking

It appears an acceptable level of off street parking is provided for each dwelling.

HDM raise concerns with the application in its current form and request further information as set out above.