

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

2024/90513 Fearnley Street/Fall Lane/Brooks Yard, Westtown, Dewsbury

Construction of temporary access road to provide vehicle access to a temporary parking area for residents of Brooks Yard for the duration of the works to upgrade the adjacent Transpennine railway, along with removal of the temporary access road and reinstatement of the grassed area once railway works are completed

Date Responded: 8th May 2024

Responding Officer: C Dows

Responding Ref: K14-9SE/10

Recommendation – No Objection, subject to conditions

Documents:

- Temporary Access Road and Services Protection Design - Dwg. No. 7722-26 Rev. C0
- Brooks Yard Resident Temporary Access - Dwg. No. 7722-30 Rev. P0
- Land off Fall Lane – Provision of temporary parking area for residents and associated access road, Planning Supporting Statement - Document Ref. 151667-TSA-00-TRU-REP-W-EN-001472, 15 February 2024

The planning application seeks permission to provide temporary access and parking arrangements for the residents of Brooks Yard, Dewsbury, required to enable access to the properties to be maintained during the construction phase of section W3 of the Trans-Pennine Route Upgrade. It is anticipated that the works will be required for a period of around 24 months after which the access and access road will be removed, and the area reinstated.

The proposals also include construction of a temporary pedestrian access to the rear of the properties at Brooks Yard using a haiki staircase. The existing access to the service yard of the Shepherds Boy public house will be maintained using the temporary access road via Fearnley Street.

The proposed access road is 6m wide, providing adequate width for two-way vehicle movement. The parking layout incorporates a 6m forecourt depth and turning head providing adequate manoeuvring space for vehicles to enter and exit all parking spaces in a forward direction.

Where the proposed temporary access road crosses the existing Fearnley Street a turning head is created, enabling service and emergency vehicles to access Brooks Yard and the rear yard of the Shepherds Boy public house, entering, and exiting the site in a forward direction.

The proposed temporary access and access road are acceptable in principle, and subject to conditions Highways Development Management have no objection to the application.

If Planning are minded to recommend approval, the following highway conditions and informatives should be attached to the decision notice.

Conditions/Informatives:

Approved Access – Condition

Means of access to and from the site shall be in accordance with the preliminary access design as shown on the approved plan Dwg. No. 7722-30 Rev. P0, and delivered prior to closure of the Books Yard/Fall Lane access and thereafter retained and maintained until completion of section W3 of the Trans-Pennine Route Upgrade or as otherwise agreed in writing by the Planning Authority.

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.

Access road design details – Condition

Prior to commencement of development, the following details associated with the proposed temporary access road, as shown on the preliminary site layout plan ref. Dwg. No. 7722-30 Rev. P0, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Vertical alignment of the access road.
- Junction visibility splays, and their treatment at the access road/Fall Lane junction.
- Stage 1 Road Safety Audit (RSA) based on an Approved RSA Brief, Designers Responses and Agreed RSA Actions, covering all aspects of these works.

The access road shall be implemented in accordance with the approved details and thereafter retained and maintained until completion of section W3 of the Trans-Pennine Route Upgrade or as otherwise agreed in writing by the Planning Authority.

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

Access road design details – Informative

The discharge of the above condition does not constitute Technical Approval of the access road under Section 38 or 278 (or other relevant section) of the Highways Act 1980, or other appropriate legislation, for which separate approval is required from the Local Highway Authority.