

**Consultation Response from KC,
Highways Development Management****2024/92283 Dewsbury Market, 32 Cloth Hall Street, Dewsbury, WF13 1QE****Redevelopment of market with addition of mezzanine floor****Date Responded: 27/11/2024****Responding Officer: CNB****Responding Ref: K15-2NE/27**

This application is for the redevelopment of the Dewsbury indoor and outdoor market to enhance the market offer, improve waste storage, and create an event space and park area.

The Market Area is bounded by Whitehall Way to the north west and north east, Foundry Street to the south west, Crackenedge Lane to the east and Corporation Street to the south. All the roads surrounding the site are 30mph with Whitehall Way and Foundry Street being one-way from the west of the site towards the east, Corporation Street being one-way heading westbound and Crackenedge Lane being two-way up to its junction with Corporation Street.

There is a pay-and-display car park off Whitehall Way and Crackenedge Lane and pay-and-display parking bays along Foundry Street and Corporation Street. There are taxi bays, disabled parking and loading bays located around the site also.

The market site is within a sustainable town centre location with easy access to public transport, the train station is approximately 350m and the bus station is approximately 430m from the Market Hall and local car parks are within easy reach.

The site is bisected by Cloth Hall Street, and this will experience major changes with the proposals, especially at the north west end of the site where the park area will be created across it. However, a consultation with the Kirklees Highways Registry revealed that Cloth Hall Way was stopped up on 27th October 1989 under s209 of the T&C Planning Act 1971 and is not considered to form part of the local highway network.

The site benefited from a previous planning permission (21/93368) which also included changes to the layout of the outdoor market, improvements to the waste storage area and the creation of a Pocket Park and green space at the north western end of the site. These proposals were very similar to the current proposals.

There was also a pre-application advice given as part of pre-app no 24/20417 and this included a number of temporary closures to the adopted highway around the site by the use of bollards during market opening times and changes to outlying car parks which have been removed from the current application.

The current application was accompanied by a Transport Statement (Rev 01) dated 12/08/2024.

Trip Generation

The proposed changes are not expected to generate additional traffic to the local highway network.

Access to the Site

Appendix E of the Transport Statement contains drawings No 950001 P01, 950002 P01 and 950003 P01 that show swept path analysis for three different sized vehicles accessing the site.

Drawing 950001 shows that a 5.8m long wheelbase Transit style van can access the site for deliveries and loading purposes for the stallholders and this would be expected to be the largest frequent visitor to the site. The proposed route into the site is from an access part way along Whitehall Way with the exit being on to Foundry Street/Corporation Street. This proposed route is acceptable, however we would need to see details of how access by larger vehicles would be restricted along this route and this should be included within an Access Management Plan for the site.

Drawing 950002 shows a swept path analysis for an 11m fire tender with access and egress taking place from Foundry Street. The swept path shows the route through the site to be very tight and at two locations it indicates that there would be a clash between the vehicle and market stalls, this wouldn't be acceptable, and we would wish to see the market stalls relocated to ensure that a fire and rescue service vehicle can safely access and egress the site. Narrow clearances and collision points would slow the access of the vehicle in the event of an emergency.

Drawing 950003 shows a swept path for a 15.4m articulated goods vehicle using the Foundry Street access on to the site. This size of vehicle would only be expected when events were being held at the market place and the stalls would have been removed. The swept path indicates that the articulated vehicle can turn within the site allowing access and egress in forward gear and this is acceptable.

The access for a light goods vehicle and an articulated goods vehicle are acceptable, however the emergency services vehicle access is unacceptable and this concern should be addressed before we would be able to support the application.

The vehicular access that currently exists along Cloth Hall Street from Whitehall Way at the north western end of the site is to be changed to a pedestrian only access as part of the proposals for the town park. As Cloth Hall Street is no longer an adopted highway, these changes are acceptable.

The access points are to be controlled by use of removable bollards that will remain in place outside of access times and details of the operation and maintenance responsibility for the bollards will need to be indicated within an Access Management Plan.

The Access Management Plan should contain details of all the points of access to the full site and how they are to be controlled, who has responsibility for the access being opened and then closed after use, who will have maintenance responsibility for the proposed bollards and how oversized delivery vehicles and unauthorised vehicles will be discouraged from accessing the site. This should also include details of the times that the access points will be open. Details of access to the waste storage area for collections should also be included within the Access Management Plan and this should also indicate how waste collection will take place. This can be conditioned.

Changes to Waste Storage Area and Whitehall Way Car Park

The changes to the Waste Storage area on Whitehall Way are very similar to the ones proposed for the previous permission in 2021, however this included the loss of 6 parking spaces, where as the current application proposals are for the loss of only 4 car park spaces and 1 on-street space, however no drawing showing the location of the lost spaces has been submitted to compare with the 2021 approval drawing No SK22085-PL06.

Any loss of car parking spaces would need prior approval by the Kirklees Parking Office as they administer pay & display parking within the borough, and they would need to process any changes to

the TRO to alter the parking. The changes to the TRO may generate an additional charge. We would request that the applicant contacts the Kirklees Parking Office at the earliest opportunity to obtain their consent for the loss of spaces and to begin the administration of the changes to the TRO.

With this we cannot currently support the application due to highway safety concerns relating to the access route for a fire appliance.

If you are minded to approve the application we would like to see the following conditions added to the approval.

Conditions

The development shall not be brought into use until an Access Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Access Management Plan shall include details of:

- i. Member of staff contact details for stallholder/user liaison
- ii. Details of which vehicles (type and size) will be permitted on to the market square, how this will be enforced and by who and the times that access will be made available.
- iii. Details of access routes for different types of vehicles (stallholder deliveries/servicing/maintenance/emergency services/events deliveries) and who will hold responsibility for operating the correct access points.
- iv. Details of responsibilities for use and maintenance of the removable bollards across proposed access/egress points.
- v. Details of the operation of the waste storage site with details of responsibilities for opening/closing the gates for collection.
- vi. Mechanism for review of the Access Management Plan

The development shall thereafter be operated in accordance with the approved Access Management Plan.

Reason: This is a pre-commencement condition to ensure the site can be made safe and accessible and in the interests of highway safety and to ensure pedestrian safety.

Notwithstanding the details shown on the approved plan, the development shall not be brought in to use until a scheme detailing arrangements and specification for safe and easy vehicular access for an approved emergency services Fire and Rescue vehicle, consisting of a swept path analysis, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a suitable access and layout in the interests of highway safety