Consultation Response from KC, Highways Development Management (HDM)		
Land off Blackmoorfoot Road and Felks Stile Road, Crosland Moor, Huddersfield.		
2024/92614 – Variation and removal of conditions 4 (access works), 8 (Blackmoorfoot Road improvements) & 10 (junction details) of previous permission 2020/92546.		
Date Responded: 14/08/25	**Responding Officer:** A Darwin	**Responding Ref:** K2-16/11

RECOMMENDATION: No objection, subject to agreement of the amended condition wording.

Introduction/Summary:

A Section 73 application has been submitted to vary/remove conditions 4 (access works), 8 (Blackmoorfoot Road improvements) and 10 (junction details) of previous outline permission 2020/92546 (Former Black Cats site), to consolidate these matters into a single planning condition.

The principle of amending the above conditions was discussed at the pre-application stage, and it was agreed that this was an acceptable approach, which will help to simplify/regularise the three existing conditions. It was also agreed that further design development of the preliminary site access proposals and associated works should be undertaken, to ensure that the works are deliverable and designed to compliment the internal site access arrangements that are currently being developed as part of the two pending Reserved Matters applications (2024-92235 & 2024/92365) at the development site.

Following the applicants initial submission of revised site access arrangements (and associated works), and HDM's internal consultation with the Councils Highway Design and Highway Safety teams, HDM provided initial comments to the application team on 29/10/24, which identified significant concerns with the proposals. This included a range of issues that needed to be addressed and further supporting information that was required, including speed survey data to support the revised speed limit/management measures that are required to accommodate the proposals.

The application team has now provided amended preliminary site access and associated works proposals, including indicative alterations to the speed limits on Blackmoorfoot Road and Felks Stile Road (that will be subject to a statutory consultation process in due course, at the delivery stage). These revised proposals provide significant improvements to the previous designs, and have now been subject to the Stage 1 Road Safety Audit (RSA) process, which has been closed out through the agreement of the RSA Design Response report. Therefore, the revised preliminary design proposals are now acceptable.

In summary, the principle of combined the previous conditions 4, 8 & 10 into a single planning condition relating to both site accesses and associated works is acceptable, and the new consolidated planning condition can reference the final preliminary design information that has been submitted in support of this Section 73 application.

Final Supporting Information

The following list includes the final information that has been produced & reviewed in support of this Section 73 application relating to previous conditions 4, 8 & 10:

Blackmoorfoot Road access drawings:

- Drawing AMA-22224-SK060 P10 - Proposed Site Access on Blackmoorfoot Road
- Drawing AMA-22224-SK063-1.1 P01 - SPA of a Bus (11.3m), Blackmoorfoot Road
- Drawing AMA-22224-SK063-1.2-P01 - SPA of a KC Refuse Vehicle, BMF Rd
- Drawing AMA-22224-SK064-1.1-P02 - SPA of a KC Refuse Vehicle, Sands House Lane
- Drawing AMA-22224-SK064-1.2-P02 - SPA of a LWB Panel Van, Sands House Lane
- Drawing AMA-22224-SK065-1.1-P02 - SPA of a KC Refuse Vehicle, Sands House PH
- Drawing AMA-22224-SK065-1.2-P02 - SPA of a LWB Panel Van, Sands House PH
- Drawing AMA-22224-SK067-P01 – SPA of a LWB Panel Van, Matlock House

Felks Stile Road Junction Designs:

- Drawing 425-92-103.01-T - General Arrangement of S278 Works for Outline Agreement
- Drawing 425-92-103.2-B - Section 278 Visibility Splay – Felks Stile Road junction
- Drawing 425-92-103.08.01-H - Section 278 Works Signing & Lining Layout Sheet 1 of 2
- Drawing 425-92-103.08.02 - Section 278 Works Signing & Lining Layout Sheet 2 of 2
- Drawing 425-92-SK17-E -Swept Path Analysis Refuse Vehicle and Bus

Other Information:

- *'Highways Note on Speed Limit Measures on Blackmoorfoot Road and Felks Stile Road'* report (including plan AMA/22224/SK066-P02 at Appendix A) by AMA dated 03/04/25;
- Stage 1 Road Safety Audit report by Optima Highways dated 08/05/25;
- Stage 1 Road Safety Audit Design Response report by AMA/Kirklees HDM dated 12/08/25.

Revised Site Access Proposals

The design principles associated with developments site accesses remain unaltered from that agreed at the outline planning stage, with the development being served via a ghost island priority junction on to Blackmoorfoot Road and a simple priority junction on Felks Stile Road, with both accesses being located in the same approximate locations as previously agreed. The revised proposals also include some improvements within the vicinity of the Felks Stile Road / Blackmoorfoot Road junction, and speed limit alterations and speed management measures that are also similar in scope to those envisaged at the outline planning stage.

However, the revised proposals include improvements to the previously agreed preliminary design information, which has now been agreed in principle with Councils Highway Design and Highway Safety teams; and has been subject to the Stage 1 Road Safety Audit process, which has not identified any safety issues with the proposals that cannot be satisfactorily addressed at the detailed design stage.

To accommodate the site access proposals, alterations to the existing speed limits on Blackmoorfoot Road and Felks Stile Road have been agreed in principle with the Councils Highway Safety Team. However, it is noted that these speed limit alterations are currently indicative, as they will be subject to the statutory consultation process that is required for such TRO changes, which will be required in due course at the detail design/delivery stage. It is noted that this TRO process can be quite lengthy, and the applicant(s) are recommended to progress this process with the Highway Authority (via the wider Section 278 agreement process) a soon as possible, to reduce the risk of delays to delivery of the works.

It is currently envisaged that the existing 40mph/30mph transition point on Blackmoorfoot Road will be relocated to the southwest to encourage slower traffic speeds past the new site access (gateway features and vehicle actuated signage is also proposed), and for the 40mph speed limit to be extended into Felks Stile Road (currently subject to NSL/60mph speed limit) to encompass the new site access. To compliment the speed limit changes, a package of signing and lining improvements have also been developed, to encourage better speed compliance on approach to the site accesses, and these preliminary proposals have also been reviewed as part of the Stage 1 RSA process.

The revised site access proposals now incorporate improved pedestrian/cycle facilities, which tie into the internal site access arrangements that are currently being developed as part of the two pending Reserved Matters applications (2024-92235 & 2024/92365) for the development.

This includes shared cycle/footways on both sides of the Blackmoorfoot Road site access and along the Blackmoorfoot Road site frontage, which have been designed to allow these facilities to be extended further northeast in future as part of the wider development of the HS20 Local Plan site allocation (that is subject to a pending application 2024/92651 for employment development). Due to there being unregistered land within the bellmouth of the existing Standard Drive site access junction, which is required to deliver the minimum 3m wide cycle / footway link past this junction in future (to be provided as a 3m wide section of footway in the interim situation), it has been agreed between the applicant and the Highway Authority that the highway works within the unregistered land would be designed / delivered by the applicant alongside the Section 278 works, and adoption will then be sought via the Section 228 (Highways Act 1980) process. Notes identifying this process, and the areas in question, have been included on the preliminary site access drawing.

As part of the Blackmoorfoot Road site access work, it will be necessary to fully close the existing Standard Drive access. At present no details have been provided for this, other than the preliminary design information regarding the 3m wide footway works that are proposed across the access, as mentioned above. Therefore, further details will need to be agreed in due course. However, the requirement to agree these details is already covered via a separate planning condition attached to the outline planning permission (Condition 14), and so does not need to be considered further at this stage.

At the Felks Stile Road site access, a shared cycle / footway has now been incorporated on the north side of the junction, to allow cyclists to access the side to/from the north without conflicting with other turning traffic at the junction. On the south side of the junction, a footway only has been proposed. This has been provided to ensure that there is a route available for pedestrians where the interaction between pedestrians and cyclists can be minimised, which is considered to be beneficial due to the close proximity of the proposed Carehome. However, the proposed footway on the south side of the internal site access road has been designed at 3m wide, which would enable it to be changed to a cycle / footway in future, should this be desirable.

To accommodate the Blackmoorfoot Road site access, it has been determined that the existing southwestbound bus stop (Stop ID 19288) should be removed, as the bus stop is located in the carriageway and there is no scope to improve its current arrangement as part of the site access improvement. This has been discussed with the West Yorkshire Combined Authority (WYCA), who have confirmed that whilst they would not ideally like to see the southwestbound bus stop removed, they accept that this may be necessary. As such, WYCA have confirmed that at the delivery stage of the Section 278 works, they should be contacted again to remove the southwestbound bus stop and amend the signage at the opposite northeastbound stop (as the southbound stop is not independently signed) that is to be retained. WYCA have accepted this approach on the basis that the development site accesses have been designed to accommodate a new/diverted bus route through the site. Therefore, it is important that both site accesses and the connecting spine road, which is being designed as a potential bus route, are delivered in full as early as possible in the development process.

Site access delivery and timescales:

The site accesses and associated works will need to be delivered via a Section 278 agreement. It is envisaged that all of the works will be delivered via a single agreement, which is likely to be necessary due to the interaction of the site accesses and the associated works. However, the applicant can discuss this matter further with the Highway Authority as part of the Section 278 agreement process.

Based on the three relevant planning conditions agreed at the outline planning stage, it was envisaged that all of the site access and associated works would be delivered prior to first occupation. However, it is understood that as the residential elements of the development are split into two separate Reserved Matters applications, which are being pursued by two separate developers, their development programs are not directly aligned. As such, they would like some flexibility to enable independent occupation of each of their initial phases of development. This is to ensure that the differences in development programs, or any delays in the delivery of the site access works, does not prevent initial occupations within the other Reserved Matters application site.

Whilst the applicants concerns are noted, any delay in delivering both of the site accesses, and the internal spine road raises some concerns. This is due to the overall development being reliant on two points of access, and as the provision of both accesses, and spine road, is necessary to ensure that a bus route is delivered through the site and to ensure that good quality pedestrian / cycle access is provided in all directions.

Therefore, whilst it may be acceptable to allow some flexibility in delivering the site accesses and associated works, which may form separate works packages and with different timescales (subject to agreement with the Highway Authority), it is important that the entire package of works are delivered in full as soon as possible. It is also noted that some elements of the works, including the speed limit changes, speed management improvements, and works within the vicinity of the Blackmoorfoot Road / Felks Stile Road junction are likely to be required to be delivered in full as part of any initial phase of works, as they are integral to both site access arrangements and the wider access strategy for the development.

Any potential phasing of the works will need to be agreed with the Highway Authority as part of the Section 278 agreement process, once the detailed design of the full package of works has been agreed. As such, it is

acceptable to allow the timescales for delivery of the works to be agreed via discharge of the amended planning condition.

Amended Planning Condition and Informative:

Based on the revised information provided, it is recommended that planning conditions 4, 8 & 10 are consolidated into a single planning conditions worded as follows:

'Prior to development commencing (excluding demolition, remediation and earthworks), notwithstanding the submitted plans, a detailed scheme of the proposed junctions onto Blackmoorfoot Road and Felks Stile Road and the associated works, as indicatively shown by the following preliminary design plans and documents:

- *Drawing AMA-22224-SK060 P10 - Proposed Site Access on Blackmoorfoot Road;*
- *Drawing 425-92-103.01-T - General Arrangement of S278 Works for Outline Agreement;*
- *Drawing 425-92-103.08.01-H - Section 278 Works Signing & Lining Layout Sheet 1 of 2;*
- *Drawing 425-92-103.08.02 - Section 278 Works Signing & Lining Layout Sheet 2 of 2;*
- *'Highways Note on Speed Limit Measures on Blackmoorfoot Road and Felks Stile Road' report (including plan AMA/22224/SK066-P02 at Appendix A) dated 03/04/25.*

shall be submitted to, and approved in writing by, the Local Planning Authority.

The detailed scheme shall include the following:

1. *Full sections and level information;*
2. *Construction specifications and details;*
3. *Drainage works;*
4. *Lighting works;*
5. *Signage, road markings, surface finishes and treatment of sight lines;*
6. *Highway boundary features;*
7. *Details of the widening of the existing highway to the site frontage;*
8. *Bus stop alterations;*
9. *Relocation of the speed limits terminal points and associated works, including speed management measures and other highway safety features, on Blackmoorfoot Road and Felks Stile Road;*
10. *A completed Independent Stage 2 Road Safety Audit and Design Response report covering all aspects of the works;*
11. *A programme of works detailing when each junction and the associated works will be completed and become operational.*

Thereafter each junction and the associated works shall be fully constructed and made operational in accordance with the approved detailed scheme and programme for delivery.

Reason: To ensure that suitable access is available for the development.'

The following informative note should also be included:

'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) and associated works.

This process will involve entering into a Section 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.'