Consultation Response from KC, Highways Development Management
2024/92776 Land off, Crossley Lane, Cold Royd Lane & Albany Road, Dalton, Huddersfield, HD5 9JA
REVISED AND ADDITIONAL INFORMATION RECEIVED: Variation conditions 2 (plans), 3 (materials), 4 (planting), 11 (floor levels), 12 (landscape), 16 (noise), 17 (traffic calming) on previous permission 2011/91152 for erection of 131 dwellings, formation of new accesses, laying out of internal access roads, and creation of play areas
Date Responded: 10th February 2026 **Responding Officer:** C Dows **Responding Ref:** K11-8SW/5

Recommendation – No objection

The application seeks to vary conditions attached to the original previous permission, Application No. 2011/91152. The condition relating to highways is Condition 17, which states:

Condition 17. No development authorised by this permission shall take place until a scheme detailing the proposed traffic calming measures, as shown for indicative purposes on Drawing No 5706-001 Rev B, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines together with an independent safety audit covering all aspects of the work. Before any dwelling is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.
Reason: In the interests of the free and safe use of the highway, and to accord with Policy T10 of the Unitary Development Plan.

The following additional information has been received:

Drawings:
Drawing No. 23:5666:01H – Site Layout
Drawing No. 23:5666:10D – Parcel 1 Site Layout
Drawing No. 23:5666:11C – Parcel 3 Site Layout
Drawing No. 0001F – Section 278 – General Arrangement
Drawing No. 0001G – Section 278 – Phasing Plan
Drawing No. 0002E – Section 278 – Long Lane/Crossley Lane
Drawing No. 0003F – Section 278 – Crossley Lane/Cold Royd Lane
Drawing No. 0004E – Section 278 – Cold Royd Lane
Drawing No. 0005F – Section 278 – Crossley Lane (Mid-Section)
Drawing No. 0006F – Section 278 – Crossley Lane (Easterly Section)
Drawing No. 0009A – Long Lane/Crossley Lane Tracking
Drawing No. 0010B – Crossley Lane/Cold Royd Lane Tracking
Drawing No.0011A – Section 278 – Cold Royd Lane
Drawing No.0012A – Crossley Lane (Mid-Section) Tracking
Drawing No. 0013B – Crossley Lane (Easterly Section) Tracking

Introduction/Assessment:
Since the original planning permission was granted in November 2013 the Highway Authority's view on the most appropriate traffic calming measures and treatment of the Crossley Lane corridor has changed and following discussions with the Highway Safety Team a revised scheme has been developed.

As the scheme has developed it has been reviewed and subject to a Stage 1 RSA. The latest proposals, which incorporate recommendations identified in the RSA are considered acceptable in principle and that there are no significant issues that cannot be suitably addressed at detailed design. Implementation of the works will require the Applicant to enter into a Section 278 Agreement with the Highway Authority, where the detailed design will be finalised and subject to a Stage 2 RSA.

It is noted that the Applicant is in initial discussions with the Highway Authority's Highway Design Team with regards to entering into a Section 278 Agreement and implementation of the highway works. HDM are satisfied that condition 17 can be varied to reflect the latest scheme, as per the above listed plans.

Whilst not specifically requested as a matter for consideration in this application the submission also includes revised site layout plans for parcels 1 and 3, which have been revised to address comments raised by the Highway Authority's Section 38 Team. The Applicant is in discussions with the Section 38 Team, with regards to gaining technical approval and entering into a Section 38 Agreement for adoption of the internal road layout. The revised layouts have been reviewed and following discussions with the Section 38 Team, HDM are satisfied that from a planning perspective the layout of parcels 1 and 3 are acceptable.

The following informatives should be attached any Decision Notice.

Off-site Highway Works – 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 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.

Interference with the highway without such permission is an offence which could lead to prosecution.

S38 Agreement - Informative
The applicant should be aware that the internal street layout will need to be built to adoptable standards if offered for adoption under Section 38 of the Highways Act 1980. The applicant is advised to make early contact with the Highways Section 38 team at Highways.Section38@kirklees.gov.uk to initiate the Section 38 process, technical approval and agreement. Further information is available on the council's website at: Highways Guidance Note - Section 38 Agreements for Highway Adoptions (kirklees.gov.uk)

Any future applications for adoption under S37 must demonstrate to the satisfaction of the Highway Authority that all of the roads applied for under S37 have been constructed to an adoptable standard in accordance with Highways Guidance Note - Section 38 Agreements for Highway Adoptions (kirklees.gov.uk)