

Consultation Response from KC, Highways Development Management
2025/90164 894-896, Bradford Road, Birkenshaw, BD11 2BE
Change of use from residential dwelling (Class C3) and adjoining hot food takeaway (Sui Generis) to day nursery (Class E) with alterations to vehicular access
Date Responded: 05/06/2025 Responding Officer: D. Stainsby Responding Ref: K3-12SW/13



This application is for the Change of use from residential dwelling (Class C3) and adjoining hot food takeaway (Sui Generis) to day nursery (Class E) with alterations to vehicular access at 894-896, Bradford Road, Birkenshaw, BD11 2BE

RECOMMENDATION:

Highways Development Management could not support the application as submitted.

Clarification of the proposed use of the car parking area is required.

A road safety audit of the pick-up/ drop off area is required

The proposed change of use replaces the existing residential dwelling and adjacent hot food takeaway to a day nursery for 44 children and 12 staff

The site is accessed from Moorside Avenue and the A651 Bradford Road.

Moorside Avenue is a two-way single carriageway cul-de-sac approximately 90 metres in length and forms a simple priority junction with the A651 Bradford Road.

Bradford Road is a class 1 highway the A651. It's a two-way single carriageway and in and around the site frontage has central carriageway hatching which provides a right turn lane for access into Moorside Avenue. The central carriageway markings continue along the majority of the A651 through Birkenshaw providing right turn facilities for several junctions.

Two drawings have been submitted showing either parking for 4 vehicles or parking for 5 vehicles proposed in the rear of the property for staff. However, the Nursery also has a small minibus.

The parking area will need to be revised to show parking is available for both the minibus and car parking spaces for staff.

The approved vehicle parking areas will need to 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permeable surfacing of front gardens (**parking areas**)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded.

www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

The Applicant has stated that the access will be widened to 4.5m which is acceptable

Any changes to the access within the adopted highway fronting the property, to provide a dropped kerb, will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

A proposed pick up/drop off area is proposed on the forecourt of the site off A651 Bradford Road which could accommodate a maximum of two vehicles at any one time.

However, I have concerns about how this will work in practice with parents' vehicles potentially queuing to enter the area in both the southbound carriageway and in the central hatching whilst other parents' cars will be parked on both sides of the carriageway especially at peak times when A651 Bradford Road is at its busiest.

A road safety audit would be required to ensure that the proposed pick p/drop off area will operate safely without reducing road safety at this location.

In conclusion. I consider that the site is too small to accommodate the proposed numbers of children and staff and, especially at peak times, could result in highway safety issues at this location.

I could not support the application as submitted and would expect a road safety audit is required to assess the pick-up/drop off area thoroughly.