

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

**2025/90708 Land at, Merchant Fields Farm, off Hunsworth Lane, Cleckheaton**

**Discharge of details reserved by conditions 3 (Construction (Environmental) Management Plan), 6 (Temporary surface water management details), 8 (Proposed internal adoptable roads), 9 (Permanent site entrance details), 16 (Surface water attenuation details), 17 (Details of Swale/ditch management), 19 (Phase II Site Investigation details), 20 (Remediation Strategy), 25 (Noise Impact Assessment), 30 (Arboricultural Method Statement/ Tree Protection Plan), 34 (Biodiversity Gain Plan) of permission 2024/91260 for Variation of conditions 2 (plans and specifications) and 35 (removal of permitted development rights) on previous permission 2021/92801 for erection of 291 dwellings with associated works and access from Hunsworth Lane and Kilroyd Drive – revisions to house types, unit size mix and layout**

**Date Responded:** 24<sup>th</sup> July 2025

**Responding Officer:** C Dows

**Responding Ref:** K8-5NW/1

**Recommendation – Further Information Required**

Conditions which relate to highways matters are conditions 8 and 9

**Drawings:**

Condition 8 - Proposed Internal Adoptable Highways –

48867-ECE-XX-XX-DR-C-0038-P01

48867-ECE-XX-XX-DR-C-0039-P01

48867-ECE-XX-XX-DR-C-0040-P01

48867-ECE-XX-XX-DR-C-ATR1-P01

Condition 9 - Site Entrance Details –

LTP 3836 C1 00 01 REV A

LTP 3836 C1 01 01 REV A

LTP 3836 C1 12 01 REV B

Condition 8: Prior to the commencement of development (excluding ground works, establishing the site compound, clearing the site (excluding trees and vegetation that is subject to statutory protection and/or is to be retained as part of the development hereby approved) and undertaking initial enabling works) a scheme detailing the proposed internal adoptable roads shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of swept paths for a 11.85m refuse vehicle, full sections, drainage details, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of this work. No part of the development shall be brought into use until the internal adoptable roads for that part of the development have been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of internal adoptable roads are agreed at an appropriate stage of the development process.

To ensure the internal road layout is suitable for adoption the Applicant will need to gain technical approval from the Highway Authority's Highway Adoptions Team. The Highway Adoptions Team has reviewed the information submitted and advised the Applicant that further information is required. Until the issues raised have been satisfactorily addressed and it has been confirmed by the Highway

Adoptions Team that the roads are of a design and specification suitable for adoption the condition should not be discharged.

Condition 9: Prior to the commencement of development (excluding ground works, establishing the site compound, clearing the site (excluding trees and vegetation that is subject to statutory protection and/or is to be retained as part of the development hereby approved) and undertaking initial enabling works) full details of the permanent site entrance at Hunsworth Lane shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of sight lines, road markings, construction specifications, details of surface finishes and any signage, an independent safety audit covering all aspects of this work, and details of the delivery of the scheme under an appropriate Section 278 approval. Unless otherwise agreed in writing by the Local Planning Authority, no more than 50 dwellings of the development hereby approved shall be occupied prior to the implementation of the approved scheme for use by residential traffic.

Reason: To ensure suitable vehicular access is provided for residents of the development hereby approved, to ensure existing residential streets are not subjected to unacceptable increases in traffic, in the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of the Hunsworth Lane entrance are agreed, and that the entrance is provided, at an appropriate stage of the development process.

To deliver highway works within the adopted highway the Applicant will need to enter into an agreement with the Highway Authority under Section 278 of the Highways Act 1980. The Applicant has made initial contact with the Section 278 Team who reviewed the information submitted and advised the Applicant that further information is required. Until the issues raised have been satisfactorily addressed and it has been confirmed by the Section 278 Team that the proposed access works are of an acceptable design and specification the condition should not be discharged. It is understood that as an interim measure; to gain access to the site, the Applicant has obtained a Section 184 license (Highways Act 1980) from the Highway Authority for the construction of a temporary vehicular access, which has been constructed.

**Conclusion:**

Conditions 8 and 9 should not be discharged until issues raised by the Highway Adoptions Team and Section 278 Team have been satisfactorily addressed.