

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

2025/91094 127, Marsh Lane, Shepley, Huddersfield, HD8 8AS

Discharge of details reserved by conditions 5 (foul, surface water and land drainage scheme), 6 (assessment of the effects of storm events), 7 (surface water drainage scheme), 9 (details of the junction and associated highway works), 11 (proposed internal adoptable estate roads scheme), 12 (construction traffic schedule) and 13 (survey of the highway on Marsh Lane) of previous permission 2024/91202 for erection of eight dwellings with associated access and external works

Date Responded: 16/05/2025

Responding Officer: Ryan Kinder

Responding Ref: K12-32-11

2025/91094 127, Marsh Lane, Shepley.

RECCOMENDATION: conditions 9 and 11 cannot be discharged at this moment in time, with conditions 12 and 13 considered suitable for discharge from a highways perspective.

Condition 9. No development shall take place until details of the junction and associated highway works, between the proposed site access and Marsh Lane have been approved in writing by the Local Planning Authority. No building shall be brought into use until the works to provide the junction have been completed in accordance with the approved details.

Reason: To ensure that suitable access is available for the development, in the interest of highway safety in accordance with Policy LP22 of the Kirklees Local Plan. This is a pre commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

Following consultation with the councils section 38 team, no contact has been made with them in terms of a formal section 38 technical approval, as such this condition cannot be discharged at this moment in time.

Condition 11. Notwithstanding the details shown on the approved plan 'ODS_23/666- REV J', the development shall not be occupied until a scheme detailing the proposed internal adoptable estate roads 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 work. The development shall be completed in accordance with the approved plans and retained thereafter.

Reason: To ensure that suitable access is available for the development in the interest of highway safety in accordance with Policy LP22 of the Kirklees Local Plan.

Following consultation with the councils section 38 team, no contact has been made with them in terms of a formal section 38 technical approval, as such this condition cannot be discharged at this moment in time.

Condition 12. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of

the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: To ensure that harm is not caused to the highway during construction in the interest of highway safety in accordance with Policy LP22 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

The submitted CEMP is considered acceptable to discharge this condition from a highways perspective only, this does not include comments from third party consultees within the Council.

Condition 13. The development shall not commence until a survey of the existing condition of the highway on Marsh Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway Marsh Lane shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before any part of the development is first brought into use.

Reason: In the interests of highway safety and to ensure the maintenance of the highway in accordance with Policy LP22 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

Further to submitted defect survey report (ref B26074-JNP-XX-XX-RP-C-1003 P01) dated April 2025, condition 13 is considered acceptable to discharge.