

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2026/44/90693/W
Site Address:	Land at, Greenhill Bank Road, New Mill, Holmfirth, HD9 1ER
Description:	Discharge of details reserved by Condition 7. (highway safety) of permission 2023/90346 for erection of two detached dwellings
Recommending Officer:	Sarah Longbottom

DECISION – Discharge of Condition - Refused

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 07-May-2026

Application Ref: 2026/90693

Discharge of details reserved by Condition 7. (highway safety) of permission 2023/90346 for erection of two detached dwellings

This application seeks approval for the discharge of Condition 7 on the above permission:

Condition 7

Notwithstanding the submitted details, before development commences a scheme detailing the provision of a 2.0m wide footway to the Greenhill Bank Road frontage of the development site, provision of 2.4 x 43m sight lines as shown on drawing no. 6 Rev B, construction specification, surfacing, drainage, street lighting and kerbing including the relocation of existing telegraph poles and associated highway works together with an independent safety audits covering all aspects of the works shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before either of the two new dwellings is first brought into use and shall be thereafter retained.

Reason: *This is a pre-commencement condition in the interests of highway safety and to accord with the aims of Policy LP20 and LP21 of the Kirklees Local Plan and Policy 11(4) of the Holme Valley NDP as the requirement for the footway would impact on the wall retaining the highway.*

The applicant has submitted the following details to support the application:

- 1169-DD-0001 – Existing Site Layout
- 1169-DD-0002 – Site Proposals
- 1169-DD-0003 – Construction
- 1169-DD-0004 – Kerbing
- 1169-DD-0005 – Cross Sections and Standard Detail
- 1169-DD-0006 – Visibility and Swept Path Analysis

Assessment

The applicant has provided details showing the 2m footway along the frontage of the site, details of kerbing and construction and surfacing, details of the relocation of telegraph poles, a swept path analysis showing access to the parking spaces is achievable and 2.4m x 43m visibility splays can be achieved. However, KC Highways DM have confirmed that an independent Stage 1 Road Safety Audit (RSA) still needs to be submitted.

The Stage 1 RSA should be carried out to GG119 guidance and would require a brief and CVs of the audit team to be submitted for checking and approval prior to the audit being carried out, and then a first issue of the audit report submitted for checking that the brief has been met prior to the report being sent to the designers for their response.

Without the stage 1 RSA, KC Highways DM cannot support the discharge of Condition 7. As such, refusal is recommended.

Recommendation: Refuse Discharge of Condition 7.

Decision Letter Text

Condition 7 requires that an independent safety audit covering all aspects of the works is submitted and approved in writing by the Local Planning Authority. As no Stage 1 Independent Road Safety Audit has been submitted for the purposes of Condition 7, the condition cannot be discharged at this time.