

Date: 12th March 2026

Highways Section 38 Technical Approval – Ref 2414 : S38 Rowley Lane – Homes by Honey

I am pleased to confirm that Highways S38 Technical Approval has now been granted, based upon the following attached drawings:-

- 1.8m high Hit and Miss Fence
- 1.8m high Screen Fence
- 6835 Street Lighting Layout
- 8060_002A LOCATION PLAN
- 8060_005_01G Road & Sewer Long-Sections
- 8060_005_02D Road & Sewer Long-Sections
- 8060_005_03H Road & Sewer Long-Sections
- 8060_006_01A Standard MH details
- 8060_006_02A Standard Wide Wall MH details
- 8060_006_03A Standard Lateral MH details
- 8060_006_04A Standard MH Construction details
- 8060_007J Manhole Schedules
- 8060_009B Road Construction Details
- 8060_019B Flood Routing Plan
- 8060_021_01K External Works Plan
- 8060_021_02J External Works Plan
- 8060_022K Section 38 Agreement Plan
- 8060_024K Section 104 Agreement Plan
- 8060_034_01E Vehicle Tracking Plan
- 8060_034_02B Vehicle Tracking Plan - Full Site
- 8060_040G Kerbing Plan
- 8060_041F Surface Treatment Plan
- 8060_042F Gully Catchment Plan
- 8060_044D General Arrangement Plan
- BD - 248 - 1.8m Pier and Panel Wall
- BD - 250 - Knee Rail Fence
- EN0024674-1_1_of_1 Utilities
- Fenay Bridge - Boundary Treatments Rev C
- FN0024674-1 Utilities
- GL2199 01G Soft Landscape Proposals
- GL2199 02G Soft Landscape Proposals
- GL2199 SP 01 Landscape Specification
- LEE-905_2.2m Acoustic Screen Fence
- LEE-906_2.2m Pier and Panel Wall
- LEE-907_1.2m Hoop Top Railings
- N0024674-1_1_of_1 Utilities

Section 38 Agreement

Kirklees Council is now happy to enter into a Section 38 Agreement for the adoption of the proposed highways. As you will be aware, the Section 38 Agreement requires the developer to provide a Bond / Surety to cover the Council's costs, should it be necessary for us to complete the highway works.

I have calculated the amount of the Bond required to be **£518,453.57**. The inspection and administration fee is **£51,845.36**. The table below shows the Bond calculation:-

Road Name	Road Type	Length (m)	Rate (£/m)	Bond (£)
	Industrial Road	0	£1,723.80	0
1	Traditional Estate Road	155	£1,422.55	£220,495.25
1	Shared Surface	47.933	£1,338.87	£64,176.06
2	Shared Surface	74.203	£1,338.87	£99,348.17
3	Shared Surface	41.603	£1,338.87	£55,701.01
4	Shared Surface	11.278	£1,338.87	£15,099.78
5	Shared Surface	37.448	£1,338.87	£50,138.00
2	Footway (per metre)	70	£192.79	£13,495.30
	Verge	0	£79.32	0
Total Bond				£518,453.57
Inspection and Administration Fee 10%				£51,845.36

It is acknowledged that a Section 38 technical approval (Phase 1) fee of **£50,688.05** has been paid to date. Therefore, your outstanding balance for the inspection and administration fees is **£1,157.31**. Our Section 38 Agreements provide for a 'maintenance period' after the works have been completed to our satisfaction to establish that they function appropriately. For this development, we would require a maintenance period of 12 months. At the start of the maintenance period, the Bond would be reduced to **£129,613.39** (25% of the Total Bond).

Committed Sum

A £3,000 commuted sum will be required for each of the 4 ramps amounting to **£12,000.00** prior to the completion of the S38 Agreement.

In order to prepare the Section 38 Agreement, please provide the full legal names, addresses, telephone numbers and email addresses of the following:-

- The developer;
- The developer's solicitors;
- The surety provider;
- The owners of any land that would be dedicated as new highway;

Please can you arrange to provide printed copies of full-sized and to scale plans of the Section 38 drawings listed in my email below. 3 no. copies of the S38 plan and 2 no. copies all other plans are required. All full-sized plans will be required to be folded to A4 and posted to: -

FAO: Peter Making
S38 Adoptions Team
Highway Design & Development
PO Box 1720,
HUDDERSFIELD,
HD1 9EL

This is necessary for the finalization of the Section 38 agreement.

Inspections

Please contact Matt Jackson, our Highway Inspector (telephone number: 07856683354, email address: (matthew.jackson@kirklees.gov.uk) to arrange for him to inspect the highway works.

Works to Existing Highways

I remind you that, although some of the proposed works that have received Technical Approval are in an existing highway, you may not undertake any work to existing highways until you have co-ordinated the works (to book the 'road space') with, and had approval for any Traffic Management requirements from, our Street Works Team.

To contact the Street Works Team, please email tma.permits@kirklees.gov.uk with the following information:-

- **A copy of this Technical Approval and drawings of the work;**
- **Address/location for the construction of the vehicular crossing facility**
- **Engineer name provided on the approval your client/customer received from the council**
- **Proposed start date**
- **Estimated duration**
- **Traffic management to be used**
- **Pedestrian management to be used**
- **Contact name/telephone number**

If the proposed duration is up to 3 working days, please provide this information at least 3 working days before the proposed start date. For durations over 3 working days, please provide this information at least 5 working days before the proposed start date.

The Streetworks Team will carry out co-ordination checks, to see whether any other works or activities on the highway have been booked for the period covered by your proposed start date and duration. If other works/activities have been notified to the council, the Streetworks Team will contact you to discuss whether joint working might be possible or to agree different dates for the works.

The Streetworks Team will also need to agree the use of appropriate traffic management and pedestrian management for the work.

You can check to see what road space bookings have already been received for current and planned works and events via visiting the following link: <https://one.network/> or <https://www.roadworks.org/>. This will help with your planning, to check whether 'road space' is likely to be available for when you are wanting to work.

Works should not commence until you have received confirmation in writing (usually via email) from the Street Works Team that you are OK to proceed.

Connecting Apparatus (Sewers and Utilities) in the Existing Public Highway

In order to carry out apparatus connections in the existing public highway, you will need a Section 50 Street Works Licence (for installing apparatus in a highway). Please email recharge@kirklees.gov.uk to request a Section 50 application pack.

Planning permission and building control

Please bear in mind that Highways Technical Approval does not constitute planning permission or the discharge of any planning condition. Neither does it constitute any consent required under the Building Act or Building Regulations.

If any changes were made to your proposals to obtain Highways Technical Approval, then I advise you to check whether they now comply with the requirements of the relevant planning permission and building control approval.

Prior to commencing site works and following the Issue of Technical Approval by Section 38 engineer the below actions need to be taken. Comments in RED are OUTSTANDING.

- a) A worked up CDM Health & Safety Plan and Method Statement including temporary traffic management proposals and a programme of works MUST be submitted prior to the issue of Technical Approval.
- b) Remaining fees needs to be paid and bond deposited.
- c) Proof of Public Liability Insurance to be provided.
- d) Please identify the Duty Holders under CDM Regulations in respect of this Development.
- e) Notification of commencement to the occupiers of properties in the immediate neighbourhood of the works with an estimate of the duration and extents of the works 3 weeks prior to start.
- f) Following the construction of the works a stage 3 safety audit is required and a designer's exceptions report to follow. Kirklees will give a formal response to the Designers exceptions report prior to the start of the maintenance period.
- g) As built drawings to be provided in CAD and PDF format upon completion of the works prior to adoption.

I look forward to receiving the contact details requested above. In the meantime, please feel free to contact me should you have any queries or comments about this matter.

Kind regards,

Steve Blackmore
Consultant Engineer
Section 38 Adoptions Team
Highway Design & Development
Kirklees Council
PO Box 1720
HUDDERSFIELD
HD1 9EL

E: Steve.blackmore@kirklees.gov.uk
W: www.kirklees.gov.uk/highwayadoptions