

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

2026/92432 adj to, 46, The Fairway, Fixby, Huddersfield, HD2 2HU

Formation of a vehicular access and relocation of existing gates

Date Responded: 8 October 2026

Responding Officer: Sheila Henley

Responding Ref: 4-5NW/5

Recommendation: No objection subject to planning conditions and an advisory.

Plan ref: PL-03_rev A; PL-04_rev A - Vehicular Access & Highway Alterations
Reference to refused planning application 2017/91286.

The proposal is for a dropped crossing of the footway, retaining an access width of 3.8m from Jilley Royd Lane, and set back of the existing inward access gates by 5.0m to provide a pull off / vehicle parking space in advance of the proposed gate position. Gates are to continue to open inwards.

The existing access is gated with these gates opening inwards. To enable vehicular use a dropped crossing of the footway would be necessary to reflect the access width as illustrated on Drawing PL-04_rev A.

The access layout shown on Drawing PL-04_rev A would be adequate, and it is noted that HDM raised no objection under 2017/91286 and there was previous s184 licence granted by Highways in 2025 for the dropped crossing but revoked pending planning consent. A new dropped crossing application is likely to be necessary after grant of planning consent.

Refer: <https://www.kirklees.gov.uk/beta/connecting-kirklees/roadworks.aspx>

These works must be undertaken to the Kirklees specification by a contractor accredited to work on public roads to the satisfaction of Highways. Streetworks authorisations will be necessary too. Refer: <https://www.kirklees.gov.uk/beta/licensing/apply-for-a-licence-to-excavate-road-or-pavement.aspx>

Visibility splays whilst not depicted are adequate. The site benefits from a 2.3m wide footway in advance which is marginally short of the standard 2.4m setback from the carriageway edge used for provision of junction exit sight lines and more than sufficient for a low flow route and occasional use where a 2.0m setback can be used. This would be subject to the frontage trees / planting being kept trim including any tree canopy overhang so not to restrict visibility within the sight line envelope at a height not exceeding 1.0m above the carriageway channel line.

The setback of the gates would create a recess of 5.0m depth which is typical of more modern low use fields and maintenance arrangements, such as for sub-station to the north side. These allow vehicles to pull off the road to avoid obstructive on-street parking along a road and help minimise impacts on any driveways opposite as in this instance. The user would have to reverse in or out which is acceptable for a minor route, and there would not be need for turning space incursion.

No details are given for the intended surface materials for the pull off area. A low dig solution, grasscrete or similar would be preferred to other hard porous surfaces, such as concrete or tarmac to

protect any tree roots and would negate the need for the Aco drain or similar to capture surface water as well as preventing debris and dirt from tracking onto the highway. Gravel would not be acceptable.

The proposal would not give rise to a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts) or pose an unacceptable impact for highway safety to meet policy LP21 with the benefit from on-site parking which would benefit access and passage along Jilley Royd Lane. There are no historic personal injury incidents record in the five-year period to the time of writing.

Accordingly, no objection is raised subject to planning conditions and advisory:

Conditions:

- a) Access and parking layout: Before the development hereby authorised is brought into use the vehicular access shall be laid out and constructed as shown on submitted details with any entrance gates set back a minimum of 5.0m from the back edge of the footway and hung so as to open inwards only.

Reason: To ensure the free and safe use of the highway.

- b) Surfacing: Development shall not be brought into use the area until surface materials details for the area in advance of the gate position have been submitted to and agreed in writing by the Local Planning Authority. The surfacing shall be fully implemented, and the development thereafter operated in accordance with the approved timescales.

Reason: To ensure the free and safe use of the highway.

Advisory:

- i. Domestic Footpath Crossing: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es). Refer <https://www.kirklees.gov.uk/beta/transport-roads-and-parking/dropped-kerbs.aspx>

This process will involve entering into a Section 184 licence under the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution. Refer: <https://www.kirklees.gov.uk/beta/licensing/apply-for-a-licence-to-excavate-road-or-pavement.aspx>