

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 24/00505/FUL

Highway Reference Number: 2024/0505/04/H

Application Address: Hastings High School St Catherines Close Burbage Hinckley Leicestershire LE10 2QD

Application Type: Full

Description of Application: Replace the existing chain linked fencing with mesh security fencing.

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: C/O Agent

County Councillor: Cllr Stuart Bray

Parish: Burbage

Road Classification: Adopted Unclassified

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) is in receipt of a full application for the replacement of existing chain linked fencing with mesh security fencing at Hastings High School, St Catherines Close, Burbage.

Site Access

The LHA understand that no amendments are proposed to the existing site access arrangements, which are off St Catherines Close, an unclassified road subject to a 30mph speed limit with an advisory school 20mph zone in operation during school start/ finish times. As the proposal has no effect on the existing site access arrangements, the existing arrangement remains acceptable to the LHA.

Highway Safety

Based on available records there have been no recorded Personal Injury Collisions along St Catherines Close, or at the junction of St Catherines Close with Far Lash within the last five years.

The LHA is therefore satisfied the proposals would not exacerbate an existing highway safety concern.

Internal Layout

Given the above, the LHA is satisfied that no additional parking provision is required within the site.

Public Right of Way

The LHA note that the route of Public Footpath U58 is beside the southern and southwestern boundary of the school. Specifically in relation to this application, the existing chain linked fencing being replaced runs along the length of Public Footpath U58. Please see Figure 1 below which shows an extract from the Definitive Map of Public Rights of Way for your information.

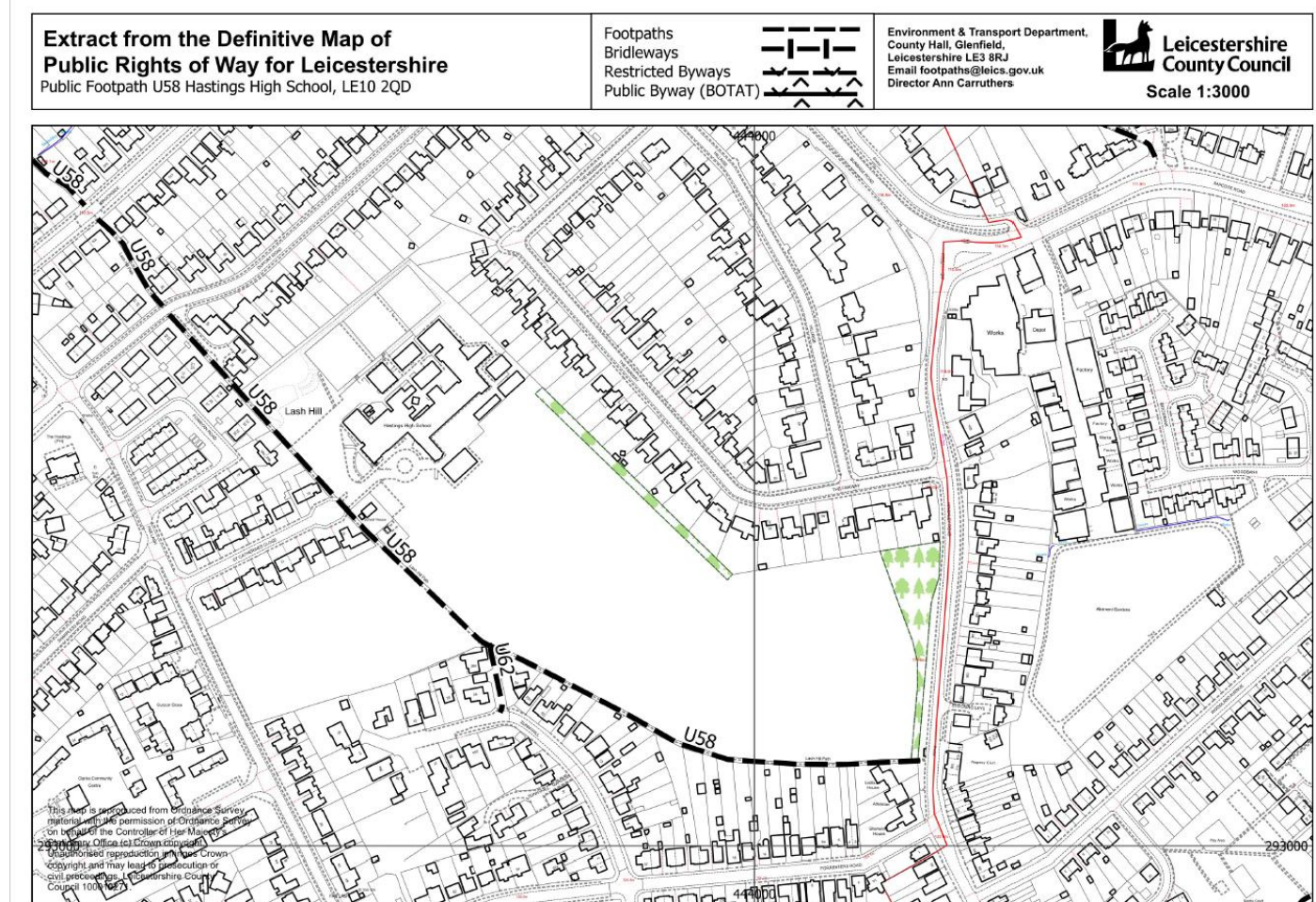


Figure 1 – Definitive Map Extract of Public Footpath U58

The applicant should undertake a scheme for the treatment of Public Footpath U58 to cover its management during construction and any proposed temporary routes throughout this period. Restoration of the footpath surface would also be required if affected by the proposal.

Conditions

1. No development shall take place until a scheme for treatment of the Public Footpath U58 has been submitted to and approved in writing by the Local Planning Authority. A scheme shall

cover management during construction, including any proposed temporary routes; and once the work is completed, restoration of the footpath surface as required.

REASON: To protect and enhance Public Rights of Way and access in accordance with Paragraph 104 of the National Planning Policy Framework 2023.

Informatives

Where work is on or near public rights of way, the applicant needs to be aware that:

- a) Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- b) If there are any Public Rights of Way the applicant considers impracticable to retain on their existing lines, a separate application for diversion is needed. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- c) If the developer needs a Right of Way to be temporarily diverted, for up to six months, so construction works can take place, at least 12 weeks before the temporary diversion is required, application should be made to networkmanagement@leics.gov.uk.
- d) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- e) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- f) No new gates, stiles, fences or other structures affecting a Public Right of Way, either temporary or permanent, should be installed without written consent from the Highway Authority. Unless a structure is authorised, it is an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received
29 May 2024

Case Officer
Oliver Rivera

Reviewer
DP

Date issued
19 June 2024