

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: 23/01037/OUT

Highway Reference Number: 2023/1037/04/H

Application Address: Land East Of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire

Application Type: Outline (with access)

Description of Application:

Outline planning application for the construction of up to 239 dwellings with associated landscaping, open space, drainage infrastructure and associated works (some reserved except access from Brascote Lane).

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: Joint Applicants

County Councillor: Ross Hills

Parish: Newbold Verdon

Road Classification: Class C

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 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) are in receipt of a consultation from Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) for an outline application for the construction of up to 239 dwellings with associated landscaping, open space, drainage infrastructure and associated works at Land East Of The Windmill Inn, Brascote Lane, Newbold Verdon. All matters other than access are reserved at this stage.

The LHA is aware of application 22/00277/OUT for identical proposals at the site. The LHA advised approval of that application subject to conditions and contributions, however those proposals were refused by H&BBC with the following reason:

The proposed development lies within the open countryside, outside of and poorly related to the settlement boundary of Newbold Verdon. As such, the development site does not accord with any of the categories of development that are considered to be acceptable within the countryside and fails to provide convenient or safe access for pedestrians to services and facilities and is not located where the need to travel is minimised. The application is therefore contrary to Policies DM4 and DM17 of the Site Allocations and Development Management Policies Development Plan Document and Sections 9 and 12 of the National Planning Policy Framework.

As part of this current application, the Applicant has submitted identical supporting evidence to that submitted as part of the previous application, this includes the Transport Assessment and Travel Plan. On this basis, the LHA advise that its detailed observations dated 6th July 2022, 19th August 2022, 19th July 2023 and 5th September 2023 submitted in response to that application largely remain in full.

The LHA also note the Applicants willingness to improve Public Right of Way S27 between Brascote Lane and Arnold Crescent. The LHA has liaised with Leicestershire County Council's Public Rights of Way team and understands in the site-specific circumstances, they would not seek to obtain any improvements to this route.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, and lead to on-street parking problems in the area.

2. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Hub drawing number T20517.001 Rev C have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

3. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (December 2023)

4. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter

shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (December 2023).

5. The Travel Plan shall be carried out in accordance with the details contained within reference T20517 (Revision A dated 9 May2023). A Travel Plan Co-ordinator shall be appointed from commencement of development until 5 years after first occupation. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023).

Contributions

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

1. To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:
 - a. Travel Packs, one per dwelling; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Reason: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to the occupation of the first dwelling.

- b. Six month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £510.00 per pass).

Reason: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 25% of total obligated contribution paid prior to the occupation of the first dwelling. Remaining 75% of total obligated contribution paid prior to occupation of 25% of total dwellings, except payment may be deferred by agreement with the County Council.

- c. STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

Suggested trigger point: Prior to the occupation of the first dwelling.

2. A Construction Traffic Routing Agreement to be submitted to and approved in writing by the Local Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

Reason: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

Suggested trigger point: Prior to construction.

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

Date Received
22 January 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
7 March 2024