

**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: 24/01113/DISCON

Highway Reference Number: 2024/1113/04/HDis17,18,19,25

Application Address: Land North And South Of Lychgate Lane Burbage Leicestershire

Application Type: Discharge of Condition

Description of Application: Application to discharge C17 (surface water drainage) C18 (surface water management during construction) C19 (long-term surface water drainage management) C25 (highway condition survey) attached to planning permission 22/00739/FUL

GENERAL DETAILS

Planning Case Officer: Lesley Keal

Applicant: Klara Crowley

County Councillor: Cllr Barry Walker

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:

No comments

Conditions 17, 18 and 19 were not advised by the Local Highway Authority (LHA) who therefore have no comments to make on these details.

Other response

The LHA advises that the Discharge of Condition 25 would be premature at this stage as detailed further below.

Advice to Local Planning Authority

Background

The LHA has been consulted on the Discharge of Condition 25 of application reference 22/00739/FUL.

The LHA has reviewed the following document which has been submitted by the Applicant:

- Aston Flamville Solar Farm Condition 21 – Pre-Commencement Highway Condition Survey (reference 794-PLN-WWP-TRP-00230-02b, Highway Condition Survey (HBBC,) Version 02b, 30 October 2024)

It should be noted that this is a cross-boundary application with Blaby District Council and the Applicant has applied to Discharge Condition 26 of application 22/0048/FUL, which is for a similarly worded condition as part of BDC application reference 24/1034/DOC. The Applicant has submitted a similar document in support of that application. The LHA has therefore provided a similar response in respect of both applications.

Condition 25

For the avoidance of doubt, Condition 25 is provided below:

Prior to the commencement of development, arrangements for a pre-commencement and post construction highway dilapidation survey of Lychgate Lane, along the agreed construction traffic route, shall be submitted to and approved in writing by the Local Planning Authority. The survey shall include a plan for any remedial works and a timetable for their implementation. The construction of the development and any remedial works shall thereafter be carried out in accordance with the approved details and timetable.

Reason: *To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).*

Highways Comments:

Whilst the LHA welcomes the Applicants condition survey, it should be noted that Condition 14 of application reference 22/00739/FUL requires the following:

Notwithstanding the approved Construction Traffic Management Plan, prior to the commencement of development, an updated Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include the following:

- *Full details of construction site access / egress management arrangements;*
- ***Construction traffic routing, including details of any traffic management measures proposed;***
- *Provisions to be made for the parking (including staff parking) and turning on site of operative and construction vehicles (including for loading and unloading) during the period of construction; and*
- *Layout of site compound including any office and welfare facilities. The development shall be carried out in accordance with the approved CTMP for the duration of the construction period.*

To date, the LHA has not been consulted by either LPA on the Discharge of Condition 14. Crucially, this requires details of construction traffic routing and details of any traffic management measures proposed, as highlighted above. The LHA will need to agree specific highway management, remedial and maintenance requirements (possibly a Section 59 agreement) in advance of discharging Condition 25 and it would be difficult to do so without having confirmed the routing of construction traffic. The LHA therefore advises that the Discharge of Condition 25 is therefore premature, until the routing of construction traffic has been agreed as part of Condition 14. Leicestershire County Council will also need to undertake a video survey of the route construction traffic takes prior to work commencing.

Date Received **Case Officer**
13 December 2024 **Ben Dutton**

Reviewer
DH

Date issued
14 January 2025