

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: 24/00139/FUL

Highway Reference Number: 2024/0139/04/H/R1

Application Address: Land North of Deepdale Farm Lutterworth Road Burbage Leicestershire

Application Type: Full

Description of Application: Re-consultation. Full Planning Application for the Provision of Additional 23 Residential Dwellings Including Vehicular Access, Landscaping, Drainage and all other Associated Works.

GENERAL DETAILS

Planning Case Officer: Emma Baumber

Applicant: Mr Paul Waterfield Davidsons Homes

County Councillor: Cllr Barry Walker

Parish: Burbage

Road Classification: Class B

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) have been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for provision of an additional 23 dwellings including vehicular access, landscaping, drainage and all other associated works at land north of Deepdale Farm, Lutterworth Road Burbage.

The LHA previously requested within its observations dated 16th April 2024 that the Applicant submitted scale drawings of the internal layout of the development along with the proposed garages for review.

The LHA has reviewed the following drawings submitted in support of the proposals:

- Davidsons drawing number Davidsons drawing number BURB_101 Rev P02 (Planning Layout)

- PJS Consulting Engineers drawing number DR-P2-500 Rev. A (Phase 2, Highway General Arrangement)
- Davidsons drawings SG10-4 (Double Hipped Garage), SG3-4 Twin Single Garage Hipped and SG1-4 (Single Garage Front Gable).

Site Access

The LHA previously advised it had no objection to the site access arrangements, which make use of the access permitted as part of application reference 19/01405/OUT.

Highway Safety

The LHA previously identified that one Personal Injury Collision had occurred within 500m either side of the site access. The LHA consider the proposals are unlikely to exacerbate an existing highway safety concern in the area.

Trip Generation

As previously advised, a detailed assessment of the developments trip generation is not required.

Internal Layout

The acceptability of an adopted road layout is subject to a Section 38 (S38) agreement in accordance with the Highways Act (1980). In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

The LHA has reviewed Davidsons drawing number BURB_101 Rev P02 and advise that whilst the road is designed to an adoptable standard, the following points will need to be addressed at the S38 stage:

- Speed control measures will need to be designed into the road layout. In this instance, the maximum distance between speed control measures, junctions or 90-degree bends is either 60m or 40m depending on the design speed of the road. Further information can be found in Part 3, section DG4, table DG8 of the LHDG.
- The turning head should be designed in accordance with Part 3, Figure DG4b of the LHDG and the arm to the northeast may be slightly longer than required which would require it to be shortened and the private drives extended.
- The 2m footway on the eastern side of the carriageway is not considered necessary as it serves little to no purpose, this should be replaced by a 1m service margin.

As advised previously, whether the internal road for this development is adopted will also depend on whether the road network for the wider site is adopted by Leicestershire County Council.

Parking Provision

The Applicant has now provided garage dimensions. After reviewing the submitted drawings, the LHA advise these are below the dimensions stated within Part 3, Para. 3.200 in the LHDG and therefore all garages cannot be counted towards usable parking spaces. Whilst this means Plot 19 is short of one parking space, the LHA do not consider this could lead to inappropriate parking within the highway to the detriment of highway safety. All other plots are considered to have an appropriate level of parking without the garage provision. The LHA also advises that the dimensions of the parking spaces are in accordance with Part 3, Paragraph 3.165 of the LHDG.

Transport Sustainability

As advised previously, given the proposals would represent an additional 23 dwellings over and above those permitted at the wider site, the LHA advises that the Applicant should provide one travel pack (currently £52.85 per pack if supplied through LCC) and two x six month bus passes (currently £510 each for an Arriva service) per dwelling in the interests of encouraging sustainable travel to and from the site.

Whilst the proposals are not of a scale which requires a Travel Plan (TP), the LHA strongly advises and encourages the Applicant to include the additional 23 dwellings within the TP for the wider site.

Construction Management Plan

As advised previously, the LHA advise the LPA that a Construction Management Plan will be required as a condition in the event the LPA are mindful to grant planning permission of the proposals due to the scale of the development. The LHA are however aware that the following documents have already been submitted to discharge condition 11 of application 19/01405/OUT, to which the LHA advised no objection:

- Davidsons Homes, 'Construction Environmental Management Plan - Lutterworth Road, Burbage ', dated August 2023; and
- Davidsons Homes drawing number: BURB_600, 'Build Route & Traffic Management Plan', dated August 2023.

The LHA advise that in the event the Applicant submitted identical documents to the LPA in support of the current proposals, it would be happy for the LPA to condition that construction is undertaken in accordance with the above documents.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, 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, to ensure that construction traffic does not use unsatisfactory roads 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 Davidsons drawing number BURB_101 Rev P02 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. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Davidsons drawing number BURB_101 Rev P02. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction, in the interests of 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. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access to each dwelling/ shared private drive with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (December 2023).

6. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG17 of the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

7. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway 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; 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 per plot). 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.

Justification: 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.

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. 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>.

If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.

- 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>.
- A Public Right 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.

Date Received
21 August 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
12 September 2024