

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: 23/00696/OUT

Highway Reference Number: 2023/0696/04/H/R1

Application Address: Greenacres Ashby Road Stapleton Leicester Leicestershire LE9 8JE

Application Type: Outline (with access)

Description of Application:

Re-consultation. Outline planning application for up to 9 dwellings and associated garages (All matters reserved except for access)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Matthew Gilliver

County Councillor: Ross Hills

Parish: Peckleton

Road Classification: Class A

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) have been re-consulted on an outline application 23/00696/OUT which is for the erection of up to nine dwellings and associated garages with all matters reserved except for access. The proposed development is at Greenacres, Ashby Road, Stapleton, Leicestershire, LE9 8JE. The LHA previously responded to the Local Planning Authority (LPA) on 3 August 2023 requesting further information, this included but is not limited to:

- Provision of access drawing in order for plan to be conditioned.

Site Access

In response to the LHA's request for an access drawing in accordance with the previously approved scheme (21/00863/OUT), the Applicant has provided 'Outline Drawing', drawing number 03. The LHA have reviewed the above plan and find it to accord with the previously approved scheme submitted under 21/00863/OUT.

Given the submitted scheme is of a smaller scale than the extant permission (21/00863/OUT), it would be unreasonable to request any access amendments. As such, subject to conditions, the LHA would not seek to resist the application.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of 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 to ensure construction traffic does not 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 Outline Drawing, drawing number 03 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 (2021).

3. No part of the development shall be occupied until such time as the offsite works (pedestrian footway) shown on Outline Drawing, drawing number 03 have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2021).

4. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. 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 vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 10 metres of the highway boundary, nor shall any be erected within a distance of 10 metres of the highway boundary unless hung to open away from the highway.

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 (2021).

5. 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 (2021).

6. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10 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 (2021)

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>
- The Applicant will be required to remove all directional signage to the garden centre which is within the highway (brown tourism signs) at their own expense.
- 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
7 August 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
15 August 2023