

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: 24/00170/ROW

Highway Reference Number: 2024/0170/04/H

Application Address: Land Beech Drive Thornton Bagworth And Thornton Leicestershire

Application Type: Other

Description of Application:

Permanent Public Right of Way Diversion - 23/00543/DISCON (R85)

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Joseph Sadler

County Councillor: Cllr Peter Bedford

Parish: Bagworth & Thornton

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 does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) is in receipt of an application for a Permanent Public Right of Way Diversion of Public Footpath R85.

The LHA acknowledges the relevant planning history at the site which is noted below:

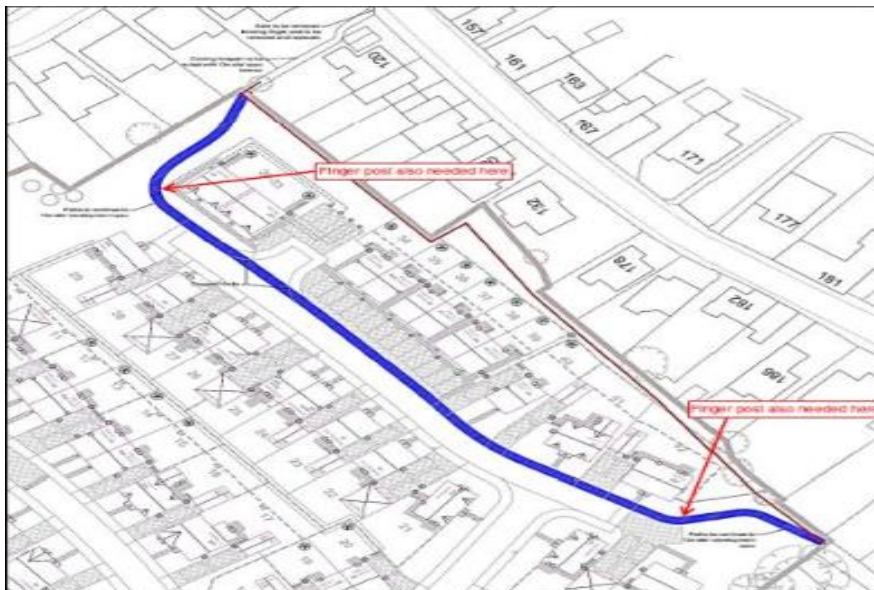
- 20/00511/FUL – Residential development of 49 dwellings with associated infrastructure, access and areas of open space.
- 24/00159/DISCON - Application to discharge conditions 3 (Levels), 6 (Surface Water Management), 17 (Construction Environmental Management Plan and Method Statement), 18 (Public Right of Way), 20 (Suspended Solids) on Appeal Decision APP/K2420/W/21/3285060 relating to planning application 20/00511/FUL

Public Right of Way

The LHA request that the Local Planning Authority (LPA) clarify this application. Currently the LPA web page for 24/00170/ROW includes an application form. The LHA require a plan of the proposed diversion to be submitted in order to fully assess the proposal. Whilst the LHA note planning application reference 24/00159/DISCON includes drawing number 02419 - 002P Revision B, this also needs to be included within this application.

As noted in the response to 24/00159/DISCON, the LHA welcome the submission of drawing 02419 - 002P Revision B, however more information is required. The LHA highlight that the Countryside Act 1968 section 27 requires finger posts to be installed at the points where the diverted public right of way will leave a new estate road. The LHA advise that these signposts should be located as detailed on Figure 1 below.

Figure 1 – LHA suggested location for PROW finger posts



In response to 24/00159/DISCON – the LHA noted any diversion proposal should itemise the works required to give effect to the diversion. It is the view of the LHA that this should include as a minimum; the width of the diverted right of way, surfacing specification, and the location and specifications for any structures proposed/required along the PROW.

The submitted application form specifies that the surfacing of the new footpath will be tarmac. The LHA requests all works be in accordance with the Leicestershire Highway Design Guide Footways specification in the top left hand corner of LCC standard drawing SD/11/5 at:
<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/6/5/sd-11-5dfootway-vehicular-and-agricultural-field-access.pdf>

Date Received
26 February 2024

Case Officer
Oliver Rivera

Reviewer
VV

Date issued
15 March 2024