

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: 24/00028/FUL

Highway Reference Number: 2024/0028/04/H

Application Address: Regent Court Regent Street Hinckley Leicestershire LE10 0AD

Application Type: Full

Description of Application:

Change of use from a garage (sui generis) to shop (Class E).

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Chawda

County Councillor: Cllr Stuart Bray

Parish:

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 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).

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) are in receipt of a full application for the change of use from a garage (sui generis) to a workshop (Class E) at Regent Court, Regent Street, Hinckley.

Site Access/Internal Layout

The site is served by an existing access off of Trinity Lane, a classified B Road (B590) subject to a 30 mph speed limit.

The existing access road is not of sufficient width to allow for two way traffic at its junction with Trinity Lane. Nevertheless, under the site specific circumstances the LHA appreciate that is an existing situation and given the existing use of the site and transport sustainability considerations

below, have no objection.

Although there is no established customer parking available for the building, the LPA accept there is a car park available on Trinity Vicarage Road a short walk from site which customers could use. In addition there are Traffic Regulation Orders in force on roads surrounding the site, such as double and single yellow lines as well as time restricted on-street parking spaces which should prevent inappropriate parking.

Transport Sustainability

The site is in a town centre location and there are numerous bus stops within 200 metres walk from the site which in the view of the LHA makes sustainable travel to the site an attractive option.

Public Rights of Way

The applicant should note that Public Footpath V16 runs along Blockleys Yard for approximately the first 30 metres from Trinity Lane. Noting the proposed work, the LHA have no objection to this application as the use and enjoyment of the footpath should not be significantly affected.

Informatives

Where work is on or near public rights of way, the applicant needs to aware that:

- a) Prior to construction, measures should be taken to ensure users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
- b) Public Rights 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.
- c) If there are any Public Rights of Way the applicant considers impracticable to retain on their existing lines, a separate application for diversion is needed. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- d) If the developer needs a Right of Way to be temporarily diverted, for up to six months, so construction works can take place, at least 12 weeks before the temporary diversion is required, application should be made to networkmanagement@leics.gov.uk.
- e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- f) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- g) No new gates, stiles, fences or other structures affecting a Public Right of Way, either temporary or permanent, should be installed without written consent from the Highway

Date Received
15 January 2024

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
31 January 2024