

**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: 24/00007/FUL

Highway Reference Number: 2024/0007/04/H

Application Address: Fields Farm Newbold Road Barlestone Nuneaton Leicestershire CV13 0DT

Application Type: Full

Description of Application:

Construction of a menage and horse lunge

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr Colin Ibbettson

County Councillor: Ross Hills

Parish: Barlestone

Road Classification: PRoW - Footpath

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 is in receipt of a full application for the construction of a menage and horse jump at Fields Farm, Newbold Road, Barlestone.

Site Access

The site is accessed via an existing access off of Newbold Road which is a classified C road subject to a 30 mph speed limit. The applicant proposes no changes to the existing access arrangement.

Per Part 3, Paragraph 3.192 of the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>) the access should have a minimum width of 2.75 metres with 0.5 metres added to either side of the access if it is bounded by a wall, fence, hedge, line of trees or other similar obstruction.

The LHA are satisfied that the existing access is safe and suitable for the proposed development providing that the development is for the applicants private use.

The LHA advises it would have no objection to the use of the existing access as the proposed arrangements are in accordance with the LHDG. However, this is based on the condition that the development is for the applicants private use.

Highway Safety

Based on available records to the LHA, there have been no recorded Personal Injury Collisions on Newbold Road in the previous five years.

Public Rights Of Way

The applicant should note that Public Footpath S33 runs adjacent to the proposed development and along the access drive to it. The LHA are satisfied that the use and enjoyment of Public Footpath S33 will not be significantly affected.

Conditions

1. The proposed development shall be used for the Applicant's own private use and no other business nor commercial use is permitted.

REASON: Although the level of traffic likely to be generated by stables is acceptable in highway safety terms, more traffic-intensive livery within the site would be inappropriate due to the limitations of the vehicular access, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

Informatives

The following notes should be drawn to the applicant's attention:

a) Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.

b) The 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.

c) The Public Right of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.

d) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to

networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

e) 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.

f) No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received
11 January 2024

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
31 January 2024