

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: 23/00900/FUL

Highway Reference Number: 2023/0900/04/H/R2

Application Address: Land West Of Mythe Farm Pinwall Lane Pinwall Atherstone Leicestershire
CV9 3PF

Application Type: Full

Description of Application:

Re-consultation. Creation of vehicular access (resubmission of 20/00434/FUL)

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr & Mrs Joseph Garland

County Councillor: Bertie Harrison-Rushton

Parish: Sheepy

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 111 of the National Planning Policy Framework (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 on full application 23/00900/FUL which is for the creation of a vehicular access (resubmission of 20/00434/FUL). The proposals are on land West of Mythe Farm, Pinwall Lane, Pinwall, Leicestershire, CV9 3PF. The LHA previously responded to the Local Planning Authority (LPA) on 18 October 2023 and 13 November 2023 requesting further information which included but may not be limited to:

- Revised site location plan demonstrating a redline incorporating both existing and proposed accesses, required in order to condition the closure and re-instatement of the existing access.

Site Access

In response to the LHA's observations to the Local Planning Authority (LPA) on 13 November 2023 the Applicant has provided a revised 'Site Location Plan' which indicates a red line that includes both existing and proposed accesses as requested.

Given the existing access can now be conditioned to be permanently closed off and re-instated means the proposals would not be contrary to Policy IN5 of Part 1 of the Leicestershire Highway Design Guide (LHDG).

Given the above, the LHA would not seek to resist the proposals subject to the following conditions.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements, hardstanding and gate set back distance as shown on Agricultural Access Design General Arrangement, drawing number SD/11/9. Once provided, these shall be maintained in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may do so in a slow and controlled manner, to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.), and to enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 160 metres have been provided at the site access in both directions. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2023).

3. The new vehicular access hereby permitted shall not be used for a period of more than three months from being first brought into use unless the existing vehicular access on Atherstone Road that become redundant as a result of this proposal has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

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

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.

Date Received
14 November 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
24 November 2023