

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: 23/00733/FUL

Highway Reference Number: 2023/0733/04/H/R1

Application Address: 2 Paddock Lane Burbage Hinckley Leicestershire LE10 2JD

Application Type: Full

Description of Application:

Re-consultation. Construction of two detached bungalows with associated parking, garage, amenity space, EV charging point and other works

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr P Collis

County Councillor: Cllr Amanda Wright

Parish: Burbage

Road Classification: Unadopted / Private

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 23/00733/FUL which is for the construction of two detached bungalows with associated parking, garage, amenity space, EV charging point and other works. The proposals are at 2 Paddock Lane, Burbage, Hinckley, Leicestershire, LE10 2JD. The LHA previously responded to the Local Planning Authority (LPA) on 29 August 2023 requesting further information which included but is not limited to:

- Detailed scaled access drawing; and
- 2m by 2m pedestrian visibility splays.

Site Access

In response to the LHA observations the Applicant has provided:

- Access Design, drawing number CS/0333/AD/23.

The LHA have reviewed the above named plan and make the following comments.

The Applicant has demonstrated an effective access width of 5.2m for the first 5.8m. The LHA finds this accords with Table DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG).

The Applicant has not demonstrated pedestrian visibility splays of 2m by 2m at the site access as requested. However, whilst the LHA may normally look to resist accesses that fail to provide adequate pedestrian visibility, given the extant permission granted under 12/00952/FUL, and that there are similar accesses in and around the location. The LHA would not seek to resist the proposals as it is considered the LHA would not be able to defend the proposals at an appeal in these site specific circumstances.

The LHA advises the following conditions.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Access Design, drawing number CS/0333/AD/23 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 (2023).

2. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Proposed Site Plan, drawing number PL-10. Thereafter the onsite parking and turning provision shall be kept available for such use in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

3. 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 5 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 (2023)

4. 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 (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
13 October 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
26 October 2023