

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: 24/00179/REM

Highway Reference Number: 2024/0179/04/H/R1

Application Address: Land Opposite Spring Acre Lychgate Lane Burbage Leicestershire

Application Type: Reserved Matters

Description of Application: Re-consultation. Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following Outline Approval 22/00192/OUT (Allowed under appeal APP/K2420/W/23/3321670) comprising 82 dwelling, car parking, open space, children's play area and associated infrastructure

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Wayne Worsdale

County Councillor: Cllr Barry Walker

Parish: Burbage

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), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted on a Reserved Matters application of outline application reference 22/00192/OUT (Allowed under appeal APP/K2420/W/23/3321670) for a residential development of up to 85 dwellings at Land Opposite Spring Acre, Lychgate Lane, Burbage. Appearance, landscaping, layout and scale are to be determined as part of this application.

Internal Layout

In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

The LHA has reviewed proposed site layout drawing number EM-LLB-200 Rev B and can advise that currently, the internal layout is not considered suitable for adoption. Whilst the LHA does not consider the layout to be unsafe, and therefore would not seek to object to the application, the Applicant will need to make the amendments below at this application stage should they wish for the internal layout to be considered for adoption, otherwise the road network would remain private.

- As advised previously, speed control measures will need to be designed into the road layout. In this instance, the maximum distance between speed control measures, junctions or 90-degree bends is either 60m or 40m depending on the design speed of the road. Further information can be found in the Leicestershire Highway Design Guide (LHDG) Part 3, section DG4, table DG8.
- Not all the turning heads are designed in accordance with the LHDG, subsequently they will all need amending. Please see Figure DG4b of the LHDG (part 3) for further information. Furthermore the end of the turning heads only need a 1m service margin.
- The turning head arm opposite Plot 49 should be reduced just passed the radii. As should the turning head arm opposite plots 34/35.
- Vehicle tracking of the site is required using a Phoenix 2-23W 6x4 wide refuse collection vehicle, the dimensions of which can be provided if required.
- Footway link beyond carriageway - Any isolated and/or interconnecting footpaths would not typically be considered for adoption. If they were to be offered for adoption, they may incur an additional commuted sum.
- Shared private drives over 25m in length will require a width of 5m and for turning facilities to be provided to allow for refuse collection. For further information, please see the LHDG, Part 3, paragraph 3.196. If a road is to be made private, please label correctly.
- The applicant should note the highway authority do not adopt open public spaces or embankments unless they support the carriageway/ footway.
- Five or less houses fronting the highway means it is not suitable for adoption. For example, road 2 leading towards the turning head has no houses fronting. Road 2 would therefore not be suitable for adoption by LCC.

Additional Information

- The applicant should consider householder carry distance – the roads exceed the ideal maximum of 30m by quite some distance (The Building Regulations 2010, Drainage and Waste disposal Approved Document H, Para 1.8, Page 54)

- The applicant should ensure bin collection points (BCP's) are provided on the private roads.
- Where a property is situated more than 45m from the highway, the Applicant must cater for emergency vehicles by providing a construction suitable for larger vehicles. The minimum width for access should be at least 3.7m (between kerbs) and fire vehicles should not have to reverse more than 20m.
- The tree species will need to be agreed, as to not impede on highway users' visibility. This will be checked further and approved at the S38 stage. The applicant should note that the trees, verges and landscaping would be considered to be outside of the adoption extent.
- The applicant should ensure that any tree that is to be planted within the highway or the vicinity of the highway is provided with the necessary root protection and likewise and any tree that is to remain within the highway or vicinity of the highway is also provided with the necessary tree root protection.
- Where trees are to overhang the highway, they must be of a type with a minimum clear stem of 2.2m. Please note that any tree that is to be situated within the highway will attract a commuted sum in accordance with the LHDG Part 4, MC18.
- Gradients should conform to the standards set out in Part 3, Table DG1: General geometry of residential road (internal) of the LHDG.
- All drainage should be in accordance with Part 3 DG11 of the LHDG. It must be ensured that surface water from private land does not run or pool in the public highway.
- Where a private drive is more than 25m, it will need to be 5m in width. The width of the private drives serving Plots 13 - 18 and Plots 45 - 48 therefore needs amending.

Conditions

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Avant Homes drawing number EM-LLB-200 Rev B. Thereafter the onsite parking provision shall be so maintained 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 (December 2023).

2. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG20 of the Leicestershire Highway Design Guide. The private access drives should be 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 (December 2023).

3. The development hereby permitted shall not be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

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

5. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021)

Date Received
15 May 2024

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
07 June 2024