

**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.

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**APPLICATION DETAILS**

Planning Application Number: 24/01124/FUL

Highway Reference Number: 2024/1124/04/H

Application Address: Barwell Constitutional Club 20 Chapel Street Barwell Leicester Leicestershire LE9 8DD

Application Type: Full

Description of Application: Erection of two single storey dwellings (revised scheme of 23/00716/FUL)

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**GENERAL DETAILS**

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mr David Richardson

County Councillor: Ross Hills

Parish: Barwell

Road Classification: Adopted Unclassified

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**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 2024), 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 consulted by the Local Planning Authority (LPA) on application 24/01124/FUL for the erection of two single storey dwellings in an existing garden area that currently serves Barwell Constitutional Club, 20 Chapel Street, Barwell.

The LHA are aware this application is a revised scheme of a previous application for three residential dwellings with associated vehicular access, parking, amenity space and other works (reference 23/00716/FUL). The LHA advised that this application was acceptable subject to conditions on 12 April 2024.

## **Site Access**

The site is located on Chapel Street, an adopted, unclassified, one-way road that is subject to a 30mph speed limit. Running along the frontage of the site are on-street parking bays that do not appear to be currently covered by a Traffic Regulation Order however some or all of these would be displaced by the proposed development.

The LHA have assessed Block and Location plans Direct Drawing Number HPD01/1. The access is shown to measure 4.25m for the first 5m from the highway which is in accordance with Table 13 of the Leicestershire Highway Design Guide ([LHDG] available at <https://www.leicestershirehighwaydesignguide.uk/>).

Also shown is the provision of vehicular visibility splays of 2.4m by 43m on either side of the access which is in accordance with Table 6 of the LHDG. The LHA note that the splay to the north runs very close to the adjacent Constitutional Club, however given Chapel Street is a one-way street in a south to north direction, the LHA are prepared to accept the possible slight interference in the splay to the north.

The pedestrian visibility splays shown are located in the public footway. Pedestrian visibility splays should provide drivers sight of pedestrians before a vehicle leaves the development.

The LHA notes that the planting has been re-located to be contained in the area marked 'New planting' on drawing HDP01/1. Planting is permitted in this area so long as it remains below 0.6m in height.

The LHA confirm the proposed access is safe and suitable for the proposed development in accordance with Paragraph 110 of the National Planning Policy Framework (2024).

It should be noted that – irrespective of planning permission – the applicant would need to apply to Leicestershire County Council (LCC) to create a new vehicular access onto the adopted highway network. Further information on this is contained within the Vehicular Access (Dropped Kerbs) Information Pack - <https://www.leicestershire.gov.uk/sites/default/files/2024-06/Vehicle-access-dropped-kerbs-pre-application-checklist.pdf>. A grant of planning permission by the LPA does not guarantee that a new vehicular access application would be successful. The Applicant has applied for a dropped kerb to facilitate vehicular access and parking. The LHA is satisfied that the safe and suitable access to the site could be achieved for all users.

## **Off-Site Implications**

The Applicant will be required to remove/amend the existing white lining delineating on-street parking spaces within the vicinity of the site and may be required to relocate the existing road sign fronting the site to an appropriate location. Signage or lining to highlight the one-way system may also be required.

The LHA advise that the above will be addressed as part of the post planning technical approval process and the Applicant will be liable for all associated costs.

## **Highway Safety**

There have been no recorded personal injury collisions on Chapel Street in the previous five years. Therefore, the LHA has no pre-existing highways safety concerns at the location.

## **Internal Layout**

The LHA have assessed the Block and Location plans Direct Drawing Number HPD01/1 and note that two parking spaces have been proposed to serve each dwelling. The LHA confirm the proposed provision is in accordance with Table 28: Residential Parking Standards, under Off-street Residential Car Parking Standards in the LHDG.

The drawing demonstrates full compliance with Figure 44 of the LHDG in regards to the size and layout of the spaces, with the exception that it does not demonstrate an additional 0.5m buffer zone to sides which are bound by a wall, hedge, fence, etc. However, the LHA is satisfied with the space provided, deeming it sufficient for the intended purpose.

In addition, the LHA welcome that the proposed bin store is suitably located as not to interfere with the visibility splays.

## **Conditions**

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Houseplans Direct Drawing No. HPD01/1 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 (2024).

2. Notwithstanding the submitted plans, the proposed access shall be surfaced in a bound material for a distance of at least 5 metres behind the highway boundary with a 5.5 metre dropped crossing. The access once provided shall be so maintained at all times.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.), in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

3. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 43 metres have been provided at the site access. 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 unexpected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2024).

4. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2024).

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Houseplans Direct Drawing No. HPD01/1. Thereafter, the onsite parking and turning provision shall be kept available for such uses 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 (2024).

**Informative**

- a) 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 0016 305 001. It is an offence under section 148 and Section 151 of the Highways Act 1980 to deposit mud on the highway and therefore you should take every effort to prevent this occurring.

**Date Received**  
**7 January 2025**

**Case Officer**  
**Taron Aujla**

**Reviewer**  
**DP**

**Date Issued**  
**4 February 2025**