

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: 24/01161/FUL

Highway Reference Number: 2024/1161/04/H

Application Address: Manor Farm 2 Carlton Road Barton in The Beans Nuneaton Leicestershire CV13 0DE

Application Type: Full

Description of Application: Conversion of two agricultural outbuildings to form two dwellinghouses

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mssrs D And R Jackson

County Councillor: Bertie Harrison-Rushton

Parish: Shackerstone

Road Classification: Class C

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 116 of the National Planning Policy Framework (2024), 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 by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

‘Conversion of two agricultural outbuildings to form two dwellinghouses.’

The proposals are at Manor Farm, 2 Carlton Road, Barton in The Beans, Leicestershire, CV13 0DE.

Whilst there have been no previous applications at the site in relation to the agricultural outbuildings, there have been numerous applications which utilise the access identified as part of this application, these are detailed below:

23/01183/FUL - Conversion of agricultural building to single dwellinghouse. The LHA advised approval on 12 January 2024 in matters relating to the highway. The LPA subsequently approved the application on 13 May 2024.

22/00909/FUL - Full Planning Application for the conversion of buildings to form 6no. dwellings with associated alterations, car parking, hard and soft landscaping. The LHA advised approval on 3 November 2022 in matters relating to the highway. The LPA subsequently approved the application on 17 January 2023.

19/00093/FUL - The LHA provided formal comments to the LPA on 2 August 2017 advising conditional approval on highway matters for the change of use of an agricultural building to three dwellings. The LPA approved the application on 16 August 2017. A further 8 dwellings for Phase 2 proposed as part of application reference: 19/00093/FUL would provide a total scale of development of 11 dwellings. This application was refused by the LPA on 15 July 2019 and subsequently dismissed at appeal.

The LHA have reviewed the following documents as part of this application:

- Application Form;
- Site Location Plan;
- Planning Statement, dated December 2024;
- Site Access Arrangements;
- Agricultural Outbuilding B, drawing number HMD/PD/0563/03;
- Agricultural Outbuilding A, drawing number HMD/PD/0563/02; and
- Proposed Site Layout Plan, drawing number HMD/PD/0563/01.

Note – The LHA have included hyperlinks to relevant sections of the Leicestershire Highway Design Guide (LHDG) within this report. These are identified in bold, underlined and in blue text

Site Access

The Applicant is proposing to utilise the existing access onto Carlton Road. The site is approximately 95m to the south of the junction of Carlton Road / Nailstone Road. Carlton Road is an adopted, classified C road subject to a 30mph speed limit.

As previously stated above, the site access was assessed as part of application 19/00093/FUL and found to be acceptable in matters relating to highway for 11 dwellings. Whilst application 19/00093/FUL was refused by the LPA, it was not on highway grounds.

The LHA are aware that should the LPA be minded to grant these proposals, this would bring the total amount of permitted dwellings accessed via this access to 12. However, given the above, it is unlikely that the LHA could demonstrate an additional dwelling over the 11 dwellings found to be acceptable under 19/00093/FUL could be demonstrated as severe, contrary to the National Planning Policy Framework (2024). As such, the LHA would not resist this application in terms of the access arrangements.

However, the Applicant should note that irrespective of the above, the access drive should have a minimum width of 4.8m metres and be surfaced in a bound material for at least the first 5 metres beyond the highway boundary as per [Table 13](#) of the Leicestershire Highway Design Guide (LHDG).

Highway Safety

The LHA have checked their Personal Injury Collision (PIC) database and there have been no recorded PICs to the junction of Carlton Road /Main St / Nailstone Road / Odstone Road to the north, or within 500m to the south of the site access within the last five years.

Given it could not be reasonably demonstrated the proposals would lead to a material increase in trip generation when compared with the currently permitted land use, the LHA does not consider that there are reasonable grounds to suggest that this development proposal would have a detrimental impact on highway safety.

Internal Layout

The Applicant is proposing two dwellings with four or more bedrooms, these will each be provided with three off-street parking spaces as demonstrated on 'Proposed Site Layout Plan', drawing number HMD/PD/0563/01, this accords with [Table 28](#) of the LHDG.

Whilst the off-street parking space dimensions as demonstrated on 'Proposed Site Layout Plan', drawing number HMD/PD/0563/01 do not accord with [Figure 44](#) of the LHDG, the LHA are satisfied that there is adequate space within the site for the quantum of parking spaces and on-site turning within the site.

For the reasons set out above, the LHA would not seek to resist the application subject to the following conditions.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Site Access Arrangements, received by the Local Planning Authority on 24 December 2024 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. 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 Layout Plan, drawing number HMD/PD/0563/01. Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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).

3. The development hereby permitted shall not be occupied until such time as the access drive 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 (2024).

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 January 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
4 February 2025