

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: 23/00798/FUL

Highway Reference Number: 2023/0798/04/H/R1

Application Address: Ivy House Farm Bilstone Road Congerstone Shackerstone Nuneaton
Leicestershire CV13 6LW

Application Type: Full

Description of Application:

Re-consultation. Change of use of an agricultural building (barn) to Class E(g)(commercial) and Class B8 (storage and distribution) and associated works

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mr T Sinnott

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 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) previously advised within its first observations dated 7 September 2023 that further information was required in respect of the proposals, notably in respect of parking provision.

Site Access

The LHA previously advised that it had no objection to the proposed site access arrangements.

Internal Layout

The Applicant has submitted The Rural Planning Co drawing number J008458-11 Rev B, which details 18 car parking spaces within the site. This would be suitable for use Class E(g), which is the most intensive proposed use in terms of car parking. While disabled parking does not appear to

have been shown, the LHA considers that there would be sufficient space for this to be provided within the car parking area if required. The LHA therefore consider car parking to be acceptable.

The LHA previously advised it was satisfied that larger vehicles would be able to access the building and turn within the site as they would at present.

Public Rights of Way

The LHA is satisfied that the use and enjoyment of Public Footpath S91 would not be significantly affected.

Condition

1. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with The Rural Planning Co drawing number J008458-11 Rev B. 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 (2023).

Informative

- Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.
- Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received
3 October 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
10 October 2023