09/01007/FUL DISCONS. RM

RPS

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Our Ref: JBB7926/C0594

22 August 2012

Rob Morgan
Hinckley & Bosworth Borough Council
Development Control
Council Offices
Argents Mead
Hinckley
Leicestershire
LE10 1BZ

Dear Mr Morgan

REF 09/01007/FUL
RESIDENTIAL DEVELOPMENT FOR 84 DWELLINGS INCLUDING PROVISION OF OPEN SPACE, NEW ACCESS ARRANGEMENTS AND OTHER ASSOCIATED WORKS
GREYHOUND STADIUM, NUTTS LANE, HINCKLEY
CREST NICHOLSON SOUTH WEST

I refer to the above implemented planning permission and in particular to condition 15.

Condition 15: Off-site highway works on Nutts Lane

The condition states:

Prior to commencement of the development hereby approved, details of the design of the off-site highway works on Nutts Lane as generally shown drawing no C515/4 received on 26 February 2010 shall be submitted to and approved in writing by the Local Planning Authority. The approved off-site highway works shall be completed prior to the occupation of the 26th dwelling unless otherwise agreed in writing with the Local Planning Authority.

Details were submitted on 19 August 2010 and sent directly to Mr S Hill (Transport Development Control, Leicestershire County Council).

Technical Approval to the details was confirmed in the County Council's letter dated 14 October 2011 (enclosed).

Notwithstanding this, as you will see from the enclosed email correspondence Michael Green of the County Council has concerns that the required works will become abortive as a result of the June 2012 resolution to grant planning permission 12/00341/FL on the site immediately to the north (Taylor Wimpey scheme). It would not be good practice if the works need to be carried out twice and he does not want to impact on the public anymore than he has to and needs to reduce road booking space for works to a minimum.

RPS

Michael Green therefore considers it sensible for Crest Nicholson and Taylor Wimpey to work together to implement one set of works. Crest Nicholson are happy to follow his advice but are aware that condition 15 currently requires the works to be completed prior to the occupation of the 26th dwelling unless otherwise agreed in writing with the Local Planning Authority.

It is considered that the highway works are likely to be completed before the end of the year. Therefore in accordance with the final sentence of the above condition, we would formally request that the LPA extend the trigger point for the completion of the off-site highway works to prior to the occupation of the 60th dwelling.

If you should require any further information or assistance then please do not hesitate to contact me.

Yours sincerely



JOE MURPHY
PRINCIPAL PLANNER
Direct Line: 0121 213 5577
Email: joe.murphy@rpsgroup.com

Enc

cc Andrew Bowen, Crest Nicholson South West
Michael Green, Leicestershire County Council Highways

PD P

Leicestershire County Council

WSP UK Ltd
One Queens Drive
Birmingham
B5 4PJ
Att: Mr J Welch

Date: 14th October 2011
My Ref: PDS/MD/2010/0554/04
Your Ref:
Contact: Mr M Dakin
Phone: 0116 3056864
Fax:
Email: Michael.Dakin@Leics.gov.uk

Dear Sir

RE: SECTION 278 AGREEMENT – NUTTS LANE HINCKLEY

TECHNICAL APPROVAL

I refer to the proposed Highway works at the above location and your latest submission of the detailed design drawing.

The details shown on drawing number 0905/SK/001 (Rev F) are generally acceptable. However this does not relieve you or your client of their responsibilities under the terms of the Agreement to design and construct the works to the standards and specifications also contained in the Agreement. It may also be necessary to amend the works to satisfy the recommendations of the Stage 3 Safety Audit, and your responsibilities under the Construction Design and Management Regulations.

You are required to liaise with Area Manager's Traffic Management Engineer, regarding the location of any new traffic signs proposed or existing traffic signs affected as part of the proposed Highway works, before they commence.

Before any work can commence on site you must ensure that a section 278 Agreement is prepared and signed by both parties and the appropriate level of surety in the form of bond (or monies in lieu of a bond) and inspection fees must be provided. The Highway Authority will also need to see relevant contractor information such as public indemnity insurance (to the sum of £5'000'000), Health and Safety record/accreditation and etc. You are also required to organise a 'pre-start' meeting involving staff from the appropriate area office.

For further information relating to your requirements before you begin and whilst carrying out Highway works please consider the guidance contained the current development guidance document, "Highways, Transportation & Development", available to view on the Leicestershire County Council website, (using the following link: - www.leics.gov.uk/index/highways/road_improvements/htd/highway_req_development_part6.htm#section_weh5).

Yours faithfully,

Michael Dakin
Assistant Engineer
On behalf of the Director

Joe Murphy

From: Andrew Bowen [Andrew.Bowen@crestnicholson.com]
Sent: 22 August 2012 16:15
To: Joe Murphy
Subject: FW: Nutts Lane Hinckley

FYI

From: Michael Green [mailto:Michael.Green@leics.gov.uk]
Sent: 04 July 2012 11:24
To: Andrew Bowen
Subject: Nutts Lane Hinckley

Andrew

I write further to your e-mail 22/06/12 to my colleague Mike Howard and our telephone conversation of Friday 29th, am.

We can move forward to getting the Section 278 drawn up/signed.

I am however concerned that your required works will become abortive given the somewhat similar requirements of Taylor Wimpey on the site next door. Firstly it would not be good practice and neither LCC, nor yourselves and Wimpeys will look good, if we need to go in twice to carry out the respective schemes. Furthermore Hinckley is under great strain currently in terms of impact of Utilities/developer schemes and I do not want to impact on the public anymore than we have to and as such need to reduce road booking space for works to a minimum. Nutts Lane does form an important link in terms of traffic into/out of the town.

As a pragmatist, it would seem sensible if Crest and Wimpeys could work together to implement the one set of works. If this is not to be, then it would also be useful if your scheme, which does have technical approval, was to be amended in line with Wimpeys proposals. (I note the same consultant (WSP) was used by both parties). And whilst to do this may cause you more design and construction costs, such a way forward would allow you to meet your planning obligations within your own control/timescales as well as limiting the amount of abortive works. Obviously this would save Wimpeys some expense.
FYI whilst Wimpeys plan was generally satisfactory to us in terms of moving forward with their recently approved planning permission, it does not have technical approval, nor has the Section 278 process been initiated by them as yet.

LCC as Highway Authority are prepared to work with both yourselves and Taylor Wimpey in terms of timings/meeting planning dates etc, however at the end of the day it is Hinckley and Bosworth Borough Council as Local Planning Authority who need to be satisfied in terms of the planning conditions/enforceability. Furthermore there is the likelihood of other pressures in so far and as you are probably aware, there has been a lot of concern locally regarding development issues in and around Nutts Lane.

Regards

Michael Green

04/07/12

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