

**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: 24/00529/FUL

Highway Reference Number: 2024/0529/04/H/R1

Application Address: Hill View 15 Sheepy Road Tywcross Atherstone Leicestershire CV9 3PQ

Application Type: Full

Description of Application: Re-Consultation. Formation of new access and parking area.

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**GENERAL DETAILS**

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Ms E Clarke

County Councillor: Cllr Bertie Harrison-Rushton

Parish: Broughton Tywcross

Road Classification: Class B

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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 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 re-consulted by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

‘Formation of new access and parking area.’

The proposals are at Hill View 15 Sheepy Road, Twycross, Atherstone, Leicestershire, CV9 3PQ.

There has been one previous application at the site detailed below:

*23/00130/HOU - Two storey rear extension, single storey rear and side extension and conversion of existing garage to living accommodation. The LHA were consulted as part of this application and requested further information from the Applicant on 7 March 2023. However, the Applicant removed the proposed new access on to Sheepy Road. The LPA subsequently granted the application on 5 June 2024.*

The LPA have reviewed the following information listed below:

- Application Form;
- Detailed Planning Proposals, drawing number 21.3964.12;
- Access Justification Email;
- Various photos.

### **Site Access**

The Applicant is proposing a new access to the southwest of the site onto the eastern extent of Sheepy Way.

Sheepy Way is an adopted classified B road subject to a 30mph speed limit. It should be noted that the dwelling is already afforded parking onto Flax Lane which is a private road. The access is proposed due to inconsiderate car parking at school times within Flax Lane and across the Applicant's access onto Flax Lane.

The LHA have reviewed drawing 'Detailed Planning Proposals', drawing number 21.3964.12 and find the access width to be 4.25m. Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG) states the minimum effective access width for a single dwelling is 2.75m. As such, the LHA find this to be over engineered for a single dwelling and is in fact the required access width more akin to developments for two to five dwellings. However, 2.75m is the minimum requirement, and therefore the LHA would not request any access amendments. A copy of the LHDG can be found at <https://resources.leicestershire.gov.uk/lhdg>.

Drawing 'Detailed Planning Proposals', drawing number 21.3964.12 demonstrates vehicular visibility splays of 2.4m by 43m in both directions. This accords with Table DG4 of Part 3 of the LHDG for the posted speed of the road. The LHA have undertaken their own assessment and note that the achievable vehicular visibility to the southwest is approximately 2.4m by 115m, well in excess of the LHDG requirement for the posted speed of the road.

The LHA would normally request the re-instatement of an existing access if a secondary point of access is sought. However, in these site-specific circumstances the access currently in situ is onto a private road. As such, the LHA accept this would be a matter for the Applicant and LPA.

The access drive should be surfaced with a porous, hardbound material for at least 5m behind the highway boundary. This can be dealt by way of condition.

Given 'Detailed Planning Proposals', drawing number 21.3964.12 demonstrates a fall in ground levels of approximately 1m from the east of the site to the west, drainage will need to be provided to prevent private surface water draining into the public highway. This can be dealt with by way of condition.

Whilst no gates have been shown on any drawings submitted as part of the application, if any are to be installed, they should be a minimum of 5m behind the public highway and inward opening only. This can be dealt with by way of condition.

The Applicant is advised that notwithstanding planning consent, a separate application will be required to be made to the LHA for a vehicular access. Further information can be found at <https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>

## **Highway Safety**

The LHA has reviewed its Personal Injury Collision (PIC) database and identified two recorded PIC's within 500m to the southwest and to the junction of Sheepy Road / Main Street to the northeast of the site within the last recorded five year period. The PIC to the southwest was classed as serious involving a motorcycle and car. The PIC to the northeast was classed as slight and involved two cars colliding whilst undertaking a turning manoeuvre from Main Street to Sheepy Road.

The LHA notes the proposals are for a secondary point of access and therefore would not increase the number of trips to and from the site. As such, the LHA are therefore of the opinion that there are no existing highway safety issues that will be exacerbated by the proposed development.

## **Internal Layout**

The LHA have reviewed 'Detailed Planning Proposals', drawing number 21.3964.12 and notes there is adequate space for two off-street car parking spaces and turning within the site in accordance with Paragraph 3.165 (off-street car parking dimensions) and Figure DG13 (on-site turning).

It is also noted within documents submitted as part of 23/00130/HOU that the dwelling is currently afforded four bedrooms. Whilst Paragraph 3.151 (quantum of parking spaces) states four-bedroom dwellings should provide three car parking spaces, it is accepted that further spaces are available off Flax Lane.

If the Applicant / LPA seeks the closure of the existing off-street parking accessed via Flax Lane, the Applicant should provide a revised scale drawing demonstrating off-street car parking for three vehicles in accordance with LHDG standards via the proposed access off Sheepy Road.

## **Conditions**

1. The development hereby permitted shall not be brought into use until such time as the access, parking and turning facilities have been implemented in accordance with Detailed Planning Proposals', drawing number 21.3964.12. Thereafter the access, onsite parking and turning provision shall be kept available for such use in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may do so in a slow and controlled manner and 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. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance 5 metres of the highway boundary,

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 (December 2023).

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 (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).

### **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**  
**17 July 2024**

**Case Officer**  
**Neal Chantrill**

**Reviewer**  
**DH**

**Date issued**  
**29 July 2024**