

**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: 23/00350/CONDIT

Highway Reference Number: 2023/0350/04/H/NC

Application Address: Land Adjacent Lodge Farm Wood Road Nailstone Leicestershire CV13 0PQ

Application Type: Variation of Condition (s73)

Description of Application:

Variation of condition 5 of Planning Application 20/00020/FUL. Amendment to Great Crested Newt Mitigation Strategy

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: BF Trading Ltd

County Councillor: Bertie Harrison-Rushton

Parish: Nailstone

Road Classification: Class B

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

No comments

Condition(5 was not advised by the Local Highway Authority (LHA) who therefore have no comments to make on these details.

Advice to Local Planning Authority

Background

The Local Highway Authority have been consulted on the variation of Condition 5.

Condition 5

Prior to the commencement of any development on site the mitigation measures as outlined in the Great Crested Newt Mitigation Strategy (Middlemarch Environmental, November 2019) shall be implemented in full and retained on the site at all times during the construction of the proposed scheme.

Highways Comments:

The Applicant wishes to vary condition 5 to:

Prior to the commencement of any development on the site (or, if the development is phased, that particular phase of the development) the mitigation measures as outlined in the Great Crested Newt Mitigation Strategy (Middlemarch Environmental, November 2019) (or any subsequently agreed GCN Precautionary Method of Works or any other agreed Mitigation Strategy) shall be implemented in full and retained on the site at all times during the construction of the proposed scheme.

The LHA has reviewed the submitted documents, notably the Lodge Farm Draft Mitigation Rationale by JM Ecology, published on the Local Planning Authorities (LPA's) planning portal on 11 April 2023. The LHA notes that it is unclear where the access point is proposed on the drawing and that the drawing is not to scale. The LHA has liaised with the LPA in respect of whether the Applicant is proposing to relocate the access as part of the application to vary condition 5 and has received subsequent confirmation that the submitted plan is indicative and there is no intention to deviate from the approved plans in terms of the positioning of the approved layout.

For the avoidance of doubt, the LHA therefore consider the access is still to be constructed in accordance with Michael W Conway drawing number E19-36-011 Rev C stated within condition 10 of application 20/00020/FUL. On this basis, the LHA has no comments to make in respect of the variation of condition 5.

The LHA request to be re-consulted by the LPA in the event that the access was to be relocated for any reason as part of the variation of condition 5.

Date Received
17 April 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
03 May 2023