

**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: 24/00858/NMA

Highway Reference Number: 2024/0858/04/H

Application Address: Land South Of 295 Main Street Stanton Under Bardon Leicestershire

Application Type: Non-material amendment

Description of Application: Non-Material Amendment 22/00527/OUT. Amendment to site access plan to reflect the correct land ownership boundary of 295 Main Street

GENERAL DETAILS

Planning Case Officer: Grant Perks

Applicant: C/O Agent

County Councillor: Cllr Peter Bedford

Parish: Stanton-under-Bardon

Road Classification: Adopted Unclassified

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

No objection

No objection to the Non-Material Amendment of Condition 3 of application reference 22/00527/OUT.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a non-material amendment to the site access plan to reflect the correct land ownership boundary of 295 Main Street, Stanton Under Bardon.

The Applicant secured planning permission in June 2024 for the construction of 50 dwellings.

The LHA understands the Applicant would now like to amend Condition 3 (Approved Plans) imposed on 22/00527/OUT. The LHA has reviewed the following documents submitted by the Applicant in support of the proposals:

- Covering Letter dated 10th September 2024; and
- The drawing described as Site Access Plan 24005-BMC-24-XX-DR-C-SK01A received by the LPA on 11th September 2024.

Condition 3

Condition 3 is reproduced below for the avoidance of doubt:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- *Location Plan dwg no. n1686 001 Rev D (submitted 01.06.2022)*
- *Site Access Retaining Wall Proposals dwg no DR-102-Rev C (submitted: 21.03.2023)*
- *Site Access + Visibility Splays dwg no T21521 001 Rev B (submitted: 21.03.2023)*
- *Swept Path Analysis (submitted: 21.03.2023)*

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Highways Comments:

Based on the submitted Covering Letter, the Applicant has advised that through the progression of the Section 278 works, it has been raised by Leicestershire County Council highways department that the land ownership boundary of 295 Main Street to the north and northeast of the site's boundary has been incorrectly plotted. This has, in turn, meant that the extent of the adopted highway is less than initially anticipated, and the Applicant has stated it is therefore impossible to deliver the access as drawn within the approved plans listed in Condition 3. The Applicant intends to replace drawing number T21521 001 Rev B (submitted: 21 March 2023) with drawing number 24005-BMC-24-XX-DR-C-SK01A (Section 278 Alterations).

The LHA advise that the highway boundary discrepancy has been identified at detailed design stage (post planning) and that there was no reason or information available to the LHA to suggest that the original proposals were not deliverable due to incorrect highway boundary extents at the outline (access) stage.

The LHA has been liaising with the Applicant on the revised proposals and subsequently received a Stage 1 Road Safety Audit and a Designer's Response. This has identified six problems. The LHA is satisfied with the Applicants responses to problems B to F, and that in respect of Problem A, advises the Applicant would need to liaise with the public house in respect of removal of the steps encroaching into the highway.

Overall, the LHA therefore has no objection to the non-material amendment to Condition 3, and advises that it will continue to liaise with the Applicant through the detailed design process.

Date Received
4 October 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
27 November 2024