

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: 23/00923/FUL

Highway Reference Number: 2023/0923/04/H

Application Address: The White House Bosworth Road Wellsborough Nuneaton Leicestershire
CV13 6PB

Application Type: Full

Description of Application: Construction of single storey self-build dwelling

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr & Mrs Warner

County Councillor: Bertie Harrison-Rushton

Parish: Sheepy

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 does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted on full application 23/00923/FUL, for the construction of single storey self-build dwelling. The proposals are at The White House, Bosworth Road, Wellsborough, Nuneaton, Leicestershire, CV13 6PB.

There has been one application at the site detailed below.

20/01095/FUL - Replacement vehicular access. This was dealt with by standing advice by the Local Planning Authority (LPA) who granted the proposals with conditions on 6 January 2021.

Site Access

The Applicant has indicated within the section titled 'Access Parking & Sustainability' contained within the 'Design, Access and Planning Statement', that the existing access will be utilised and

improved as per application 20/01095/FUL. However, information provided to the LHA from the LPA is that this access does not appear to have been implemented. Nor has the actual existing access to the east of the site appear to have been re-instated.

Whilst the LHA are aware there is an extant application granted under 20/01095/FUL, this was for a replacement agricultural access, these proposals are for a residential (C3) dwelling house. The Applicant has not indicated whether the proposals would lead to the access providing both agricultural field access and residential access.

If the agricultural access is to cease at the proposed location, the Applicant should indicate how access to the field would be gained. The LHA also state that if the access is for residential use only the previously approved access would be considered as over engineered for a single dwelling.

Given that every application is considered on its own merit, the Applicant should provide a detailed scaled access drawing for the expected use in-line with Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG) if residential (C3) use only, or Figure DG20 if for both agricultural and/or residential (C3) access. This would be to ensure vehicles could pass within the access in the interest of highway safety.

Given Bosworth Road is an adopted, classified C road subject to a 50mph speed limit, the LHA requests that a scaled plan is submitted which demonstrates the vehicular visibility splays for the proposed access. These should be in accordance with Figure DG2a of Part 3 of the LHDG, with a setback of 2.4 metres from the edge of the carriageway. The splays should not cross any third-party land, and the tips of the splays should be off-set from the edge of the carriageway by 1 metre.

Vehicular visibility splay lengths should be in accordance with Table DG4 of Part 3 of the LHDG, which are based on 85th percentile vehicle speeds based upon the posted speed of the road (50mph). If these can not be achieved the LHA advises the Applicant to commission a speed survey at the proposed site access to demonstrate that the achievable splay lengths would be sufficient for the measured 85th percentile vehicle speeds. This would need to be carried out using an Automatic Traffic Counter – not Manual Speed Survey – to avoid influencing driver behaviour. A permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire, which can be obtained by contacting ndi@leics.gov.uk. Alternatively, Leicestershire County Council offer a data collection service including a large traffic count database. Details of the services available can be obtained by contacting ndi@leics.gov.uk.

The proposals show that the Applicant intends to remove a section of grassed highway verge. Whilst this may be acceptable there may be statutory undertaker apparatus located within the verge/footway fronting the site; the Applicant will need to undertake surveys and potentially works to relocate these services. Any additional cost that arises as a result of this would be entirely at the Applicant's expense.

The Applicant is advised that notwithstanding planning consent, a separate application will be required to be made to the LHA for the creation of the access. Further information can be found at <https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>. If the LPA are minded to approve the proposals, the LHA would require the Applicant to re-instate the existing agricultural access onto Bosworth Road. This can be secured via condition.

The Applicant is advised that the access should be hardbound for a minimum of 5m for residential (C3) usage or 11m for both residential (C3)/agricultural behind the highway boundary in order to prevent debris and loose aggregate being deposited onto the highway. The LHA will therefore seek to secure surfacing of the access by way of condition.

Gate set back distance should be in 5m from the highway boundary, or 11m for both residential (C3)/agricultural behind the highway boundary to ensure vehicles can stand clear of the highway in the interest of highway safety.

Highway Safety

There have been two Personal Injury Collisions (PIC's) recorded within 500m either side of the site access within the last five years, these were both classified as slight in severity. The LHA has considered the circumstances of the above PICs and is satisfied that the development proposal would not exacerbate the likelihood of further such incidents occurring.

The acceptability of the proposals would, however, be contingent on the delivery of a safe and suitable access as required by the National Planning Policy Framework (2023).

Internal Layout

The Applicant is proposing a single, three bedroom dwelling. The LHA are satisfied that adequate quantum of off-street car parking in accordance with Paragraph 3.151 of Part 3 of the LHDG, as demonstrated on 'Proposed OS and Block Plan', drawing number P001 Rev C.

The LHA are also satisfied the off-street car parking dimensions accord with Paragraph 3.165 of Part 3 of the LHDG.

However, 'Proposed OS and Block Plan', drawing number P001 Rev C does not demonstrate adequate turning within the site as per Figure DG13 of Part 3 of the LHDG. Nevertheless, given the parking is approximately 220m away from the public highway, the LHA would not request any amendments.

Other Considerations

Due consideration should be given to waste collection provision; refuse vehicles are unlikely to access the site given that it is located more than 25m from the highway boundary and via a private drive. The Applicant should be aware, any bin collection point should not be located within the visibility splays.

Paragraph 3.197 of Part 3 of the LHDG states where a development is situated more than 45m from the highway, you must cater for emergency vehicles by constructing the drive and any turning areas so they can cater for a commercial or service vehicle. The minimum width for access should be at least 3.7m (between kerbs) and fire vehicles should not have to reverse more than 20m. Your development must be in line with British Standard BS5906, 2005 and Building Regulations Approved Document B, Fire Safety 2006.

Public Rights of Way (ProW) T10

The LHA wish to make the Applicant aware that public footpath T10 runs along the eastern boundary of the site. Whilst the LHA do not expect the proposals to affect the enjoyment of the PRoW, the LHA have concerns the re-instatement of the existing access may have implications for the for the public footpath were is meets Bosworth Road. As such the LHA will be requesting a condition should the LPA be minded to grant the proposals permission.

Should the Applicant wish to discuss this, they should contact footpaths@leics.gov.uk as a matter of urgency.

Date Received
4 October 2023

Case Officer
Neal Chantrill

Reviewer
DH

Date issued
25 October 2023