

**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: 23/01095/CONDIT

Highway Reference Number: 2023/1095/04/H

Application Address: The Limes Shackerstone Road Congerstone Nuneaton Leicestershire CV13
6LX

Application Type: Variation of Condition (s73)

Description of Application:

Variation of condition 2 and 4 of planning permission 21/00661/FUL. Amendment to allow for an additional access to serve plot 1.

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mr Hinds & Vincent

County Councillor: Bertie Harrison-Rushton

Parish: Shackerstone

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:

Objection

Objection to Variation of Conditions 2 and 4 attached to 21/00661/FUL.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) are in receipt of application 23/01095/CONDIT submitted in order to vary condition 2 (Plans) and 4 (Site layout) attached to planning permission 21/00661/FUL.

21/00661/FUL granted permission for the construction of two detached dwellings and demolition of The Foresters Workshop.

Condition 2

'The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

*Amended Application Form, received by the Local Planning Authority on 23 July 2021;
Site Location Plan, dated 15 July 2021, received by the Local Planning Authority on 23 July 2021;
Site Layout Plan, received by the Local Planning Authority on 23 July 2021;
Plot 1 Location Plan, received by the Local Planning Authority on 19 May 2021;
Plot 1 Ground Floor Plan, received by the Local Planning Authority on 19 May 2021;
Plot 1 First Floor Plan, received by the Local Planning Authority on 19 May 2021;
Plot 1 Front and Rear Elevations, received by the Local Planning Authority on 19 May 2021;
Plot 1 Side Elevations, received by the Local Planning Authority on 19 May 2021;
Plot 1 Cross Section, received by the Local Planning Authority on 19 May 2021;
Plot 2 Location Plan, received by the Local Planning Authority on 19 May 2021;
Plot 2 Ground Floor Plan, received by the Local Planning Authority on 19 May 2021;
Plot 2 First Floor Plan, received by the Local Planning Authority on 19 May 2021;
Plot 2 Front Elevation, received by the Local Planning Authority on 19 May 2021;
Plot 2 Rear Elevation, received by the Local Planning Authority on 19 May 2021;
Plot 2 End Elevations, received by the Local Planning Authority on 19 May 2021;
Plot 2 Cross Section, received by the Local Planning Authority on 19 May 2021;
Design and Access Statement, received by the Local Planning Authority on 23 July 2021;
Heritage Statement, received by the Local Planning Authority on 23 July 2021;
Arboricultural Assessment, dated May 2021. received by the Local Planning Authority on 23 July 2021;
Updated Ecological Walkover Survey, dated 20 July 2021;
Preliminary Roost Assessment, dated July 2021, received by the Local Planning Authority on 23 July 2021;
Response to Senior Planning Ecologist, received by the Local Planning Authority on 12 October 2021;
Response to Waste Management Officer, received by the Local Planning Authority on 12 October 2021; and
Parking and Access Amended Drawing, received by the Local Planning Authority on 12 October 2021.'*

Highways Comments:

Condition pertaining to the highway highlighted in bold.

Condition 4

'The development hereby permitted shall not be occupied until such time as off street car and/or HGV parking provision (with turning facilities) has been provided, hard surfaced and demarcated in accordance with INSERT drawing number INSERT. Thereafter the onsite parking provision shall be so maintained in perpetuity.'

Highways Comments:

The LHA have reviewed the submitted documents and make the following comments.

Plot 1

The LHA have taken into consideration that the garages associated with plot 1 do not comply with Paragraph 3.200 of Part 3 of the Leicestershire Highway Design Guide (LHDG), a copy of which can be found at:

<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2022/3/18/Part-3-design-guidance-interim.pdf>

Given the above, the Applicant needs to ensure there is adequate provision for three vehicles as per Paragraph 3.151 of Part 3 of the LHDG within the front courtyard. These should comply with Paragraph 3.165 of Part 3 of the LHDG in terms of dimension. This states that the minimum parking size 2.4m x 5.5m should be provided, add 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1m if bounded on both sides. As demonstrated within figure 1 below, there is not adequate width provided within the front courtyard to facilitate side by side parking, as such this would limit space within the site to provide adequate on-site turning in accordance with Figure DG13 of Part 3 of the LHDG.

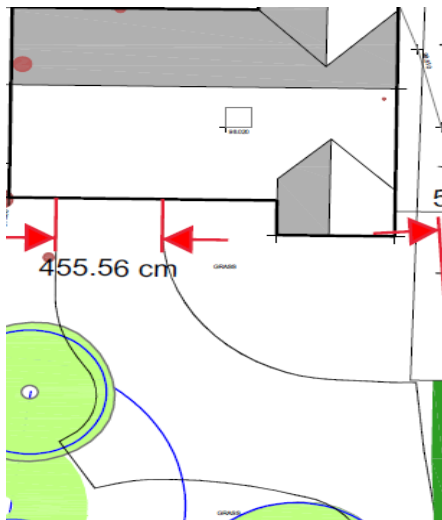


Figure 1

The Applicant should therefore provide vehicle swept path analysis demonstrating turning within the site can be achieved, or a revised scaled drawing demonstrating adequate space for both the quantum of vehicles and turning. The above is required given the proposals are onto a classified C road subject to a 30mph speed limit. The site also appears to be on the most direct route to the village primary school approximately 290m to the northwest of the site. As such, the LHA consider turning within the site should be provided in accordance with Figure DG13 of Part 3 of the LHDG. This is to ensure vehicles can access and egress the site in a forward gear in the interest of highway safety for all users in accordance to Paragraphs 110 and 111 of the National Planning Policy Framework (NPPF) 2023.

Plot 2

As above, the garages associated with plot 2 do not accord with Paragraph 3.200 of Part 3 of the LHDG. However, the LHA have reviewed drawing number CV01 Rev E and find the revisions for plot 2 acceptable in terms of Paragraphs 3.151 (Quantum of off-street car parking), 3.165 (Car parking dimensions), Figure DG13 (On-site turning) and Figure DG17 (Access arrangements) of Part 3 of the LHDG.

Once the above is provided, the LHA should be in a position to provide final comments.

Date Received
1 December 2023

Case Officer
Neal Chantrill

Reviewer
DH

Date issued
19 December 2023