

Jane Steel

From: Joe Fleetwood
Sent: 16 July 2024 14:12
To: Planning Folder New
Subject: FW: 24/00274/FUL - Manor View, Aston Flamville Road, Burbage: Revised HA comments
Attachments: Highways revised comments.pdf; Jelson 23.00673.OUT Access Plan.pdf; Extent of adopted highway.pdf

From:
Sent: 23 May 2024 09:06
To: Joe Fleetwood <Joe.Fleetwood@hinckley-bosworth.gov.uk>
Cc:
Subject: FW: 24/00274/FUL - Manor View, Aston Flamville Road, Burbage: Revised HA comments

Morning Joe,

The attached HA response concludes:

The LHA requires the Applicant to submit additional information to the LPA in respect of the following points, for further consideration by the LHA:

- **Further consideration of the site access in terms of visibility splays and the location**
- **Provision of an RSA1 for any new access proposals as well as a designer's response to any problems raised; and**
- **Consideration of the proximity of the roundabout proposed as part of application 23/00673/OUT.**

Consideration was given to moving the access however the approval of the Jelson scheme via 23/00673/OUT where access was up for determination, it was reasonably concluded there is no material highway gain in altering the current access, therefore the existing access will be physically unchanged as justified by the Jelson access approval as attached.

On this basis an RSA1 appears to only apply for any new or altered access which is not the case in this instance, as the existing access will be simply maintained in accordance with current guidance. All trees and vegetation within the red edge are under the control of the applicant therefore can be cut back, felled or moved to ensure the required splays are achieved and this can be conditioned accordingly.

Likewise, the configuration of the parking bays can be amended to achieve the same as above: ***"The LHA believe the drawing does not accurately reflect the existing situation and the Applicant has not addressed this comment. Therefore, the LHA maintains its belief that these spaces are currently not present on-site and should the drawing be conditioned by the LPA, the spaces would need to be constructed."***

Previously I've dealt with a site in Polesworth for 40 residential units off the Old Tamworth Road where the HA made similar comments regarding an existing splay and it turned out the hedge was under the control for the HA so it was their responsibility to maintain. If you look at the attached adopted highway plan it appears the area between 101.5m and 102.4m is outside the yellow edge, however if you drop down onto Google Maps (May 2023), the verge and hedge look very well maintained. The applicant has confirmed a local farmer undertakes regular highway verge and hedge maintenance, so presumably it falls under the remit of Highways Act 1980 and this will ensure this remains the case until the Jelson scheme is implemented.

In summary, Paragraph B15 of the former Circular 03/2009 (reinforced by the NPPG) states that planning authorities should not prevent or delay development which should be clearly permitted having regard to the development plan, the Framework and other material considerations. This includes not imposing conditions on a grant of permission where conditions could have effectively overcome the objection identified, as is the case in this particular instance.

Kind Regards,
Simon

From: Joe Fleetwood <Joe.Fleetwood@hinckley-bosworth.gov.uk>
Sent: Monday, May 20, 2024 8:51 AM
To:
Subject: 24/00274/FUL - Manor View, Aston Flamville Road, Burbage

Good afternoon Simon,

I hope you are well.

24/00274/FUL - Manor View, Aston Flamville Road, Burbage

Just providing some updates on the above application, as set out below:

Consultee Additional Information

Please see the attached comments from LCC Highways which requests further information.

Kind regards,

Joe Fleetwood
Planning Officer
Hinckley & Bosworth Borough Council

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