

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: 23/00925/FUL

Highway Reference Number: 2023/0925/04/H/R1

Application Address: Crown Farm Bagworth Road Nailstone Nuneaton Leicestershire CV13 0QL

Application Type: Full

Description of Application:

Re-consultation. Change use of six agricultural buildings to a storage and distribution use (Class B8) and associated landscaping and boundary treatment

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr R Higgott

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:

The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) previously advised within its observations submitted to the Local Planning Authority (LPA) on 3 November 2023 that additional information was required in respect of the site access.

The Applicant has subsequently submitted additional drawings to the LPA with the view to resolving the outstanding comments.

Site Access

Class Q drawing number P001 Rev. A provides details of the site access, which now looks like the design previously accepted by the LHA as part of application reference 21/00664/FUL. The LHA advised as part of the previous application that this design could be over-engineered for the scale

of development proposed, however ultimately the swept path analysis was considered acceptable and could cater for the type of vehicles which could be accessing/egressing the site.

Therefore the LHA have no objections to the site access arrangements.

Transport Sustainability

As advised previously, the LHA are of the view that the site is in a remote rural location and not in a sustainable location in transport terms for B8 use. There is no public transport provision such as bus stops with regular bus services in close proximity to the site, no pedestrian footways, street lighting or nearby shops/ local amenities for employees.

Therefore, the LHA considers that employees would be heavily dependant on the private car to access the site. Nevertheless, the LHA welcomes the provision of cycle parking, which could be beneficial for confident cyclists.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Class Q drawing number P001 Rev. A have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 metres to the southeast and 2.4 x 200 metres to the northwest have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2023).

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Class Q drawing number P003 Rev C. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

4. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 20 metres of the highway boundary, nor shall any be erected within a distance of 20 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2023).

5. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2023).

6. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 20 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

Date Received
7 November 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
14 November 2023