

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: 24/00294/REM

Highway Reference Number: 2024/0294/04/H/R1

Application Address: Land North Barton Road Barlestone Leicestershire

Application Type: Reserved Matters

Description of Application: Re-consultation. Approval of Reserved Matters (Appearance, Landscaping, Layout, Scale) of outline application (21/00096/OUT) for residential development of up to 55 dwellings (Outline- access only)

GENERAL DETAILS

Planning Case Officer: Hinckley and Bosworth Borough Council

Applicant: Mr Liam Edwards

County Councillor: Bertie Harrison-Rushton

Parish: Osbaston

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 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 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a reserved matters application (appearance, landscaping, layout, scale) of outline application 21/00096/OUT for a residential development of up to 55 dwellings. The site is located on land north of Barton Road, Barlestone.

The LHA previously advised that whilst it had no objection to the proposed layout, subject to conditions, should the Applicant wish for the internal access road to be adopted, additional amendments to the layout would be required at the application stage.

The LHA has reviewed the following drawing submitted by the Applicant to the LPA for review:

- Anotherkind drawing number 22025-70-001 Rev. P24

Internal Layout

Details of the internal layout of the site are provided on Anotherkind drawing number 22025-70-001 Rev. P24. As advised previously, the Applicant wishes for the main internal development road to be put forward for adoption.

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

After reviewing the drawing, the LHA advises that the internal road is currently not suitable for adoption and the amendments below are required at the application stage. The LHA advises that whilst the road layout is not considered unsafe and adoptability is not a material planning consideration, the following amendments to the layout should be undertaken at this stage, as plot layouts could be affected.

- Leicestershire County Council would not adopt the proposed road layout beyond the vehicle access to plot 4 as the carriageway and turning head beyond this currently serves no highway purpose. If future phases are brought forward, the limits of adoption could be reconsidered where the roads are shown to access residential dwellings.
- Speed control will be required in order to achieve the design speed as set out in LHDG Part 3 Table DG1. The introduction of vertical speed control measures can impact the driveway orientation of plots and should, therefore, be considered at the planning stage. Further information can be found in the LHDG Part 3, section DG4, table DG8.
- The turning head at plot 22 is now compliant with LHDG guidance.
- Bend widening, in accordance with LHDG Part 3 Table DG6 is shown.
- Consideration should be given to the location of driveways at junction radii and opposite side roads where pedestrian desire lines for crossing points may exist. It is noted that the applicant has not provided any indication of pedestrian crossing point locations.

Additional Points

- Any isolated and/or interconnecting footpaths would not typically be considered for adoption. If they were to be offered for adoption, they may incur an additional commuted sum.
- Footway to site frontage – where the proposed footway runs beneath the root protection area of the existing tree, a 'no dig' solution will be required. This will attract a commuted sum.
- All gates must be set back a minimum of 5m from the highway boundary and open inwards. Gates which open outwards are not acceptable.

- Please be advised that Leicestershire County Council will not maintain any of the additional green areas shown on the Planning Layout.
- The Applicant will need to detail that, root protection will be installed where trees and bushes are located at the back of the highway boundary in private land. Trees must also have a minimum of 2m clear stem where they are located near the highway.
- Any roads which are proposed to be put forward as part of a Section 38 agreement should have gradients which conform to the standards set out in Table DG1: General geometry of residential road (internal) in the Leicestershire Highways Design Guide.
- All drainage should be in accordance with Leicestershire Highways Design Guide Part 3 DG 12. It must be ensured that surface water from private land does not run or pool in the public highway.
- No comment has been made with regards to access arrangement, suitability of parking facilities (availability, location, physical attributes, etc.), private access drives etc.

Parking Provision

The LHA advise that parking provision for each plot is acceptable. Turning provision has also been provided at the end of the private drives. As advised previously, 1x1m pedestrian visibility splays are required where private drives or shared private drives meet the footway.

Conditions

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Anotherkind drawing number 22025-70-001 Rev. P24. 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 (December 2023).

2. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 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 (December 2023).

3. The development hereby permitted shall not be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided,

these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (December 2023).

4. 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 (December 2023).

5. 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 gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

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 (December 2023).

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email road.adoptions@leics.gov.uk. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Date Received
12 August 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
18 September 2024