

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: 23/00853/OUT

Highway Reference Number: 2023/0853/04/H

Application Address: Land Between 80 And 82 Main Street Carlton Nuneaton Leicestershire CV13 0EZ

Application Type: Outline

Description of Application:

Outline planning permission for the construction of up to three detached dwellings and associated parking (some matters reserved except for layout and scale) to land between 80 and 82 Main Street

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr John Oakley

County Councillor: Bertie Harrison-Rushton

Parish: Carlton

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 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) has been consulted on outline application 23/00853/OUT, for the construction of up to three detached dwellings and associated parking (some matters reserved except for layout and scale). The proposals are on land between 80 And 82 Main Street, Carlton Nuneaton, Leicestershire, CV13 0EZ.

Site Access

Whilst the LHA appreciate the access is not being considered as part of this application, this matter will need to be addressed at the Reserved Matters (RM) stage should an application be forthcoming. As such, if the Applicant does submit a RM application, the following should be considered.

The Applicant is proposing to utilise an existing albeit amended access onto Main Street. The access is on the eastern extent of Main Street, approximately 136m to the southwest of the junction of Main Street/Barton Road/Bosworth Road. Main Street at the location of the access is an adopted classified C road, subject to a 30mph speed limit.

The Applicant has indicated within section F of the 'Contextual Statement', authored by Hayward Architects Ltd that the land is currently used as large rear gardens for existing homes on Bosworth Road.

Given the red/blue line plan submitted as part of this application, without further information to the contrary, the LHA would consider the proposals would lead to an intensification of use of the access.

As such, the LHA would expect that if a RM application was forthcoming, a detailed access drawing in accordance with Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG) should be provided for the appropriate quantum of dwellings. A copy of the LHDG can be found at:

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

As part of a RM application the Applicant would need to submit detailed scaled drawings demonstrating vehicular visibility splay envelopes in both directions, these should be in accordance with Table DG4 of Part 3 of the LHDG. This states that visibility splays for the measured 85th percentile speeds of 30mph should be 2.4m by 43m. However, data held by the LHA demonstrates that vehicles travel along Main Street in the vicinity of the site access in excess of 30mph in both directions.

As such the LHA would request the Applicant undertake a speed survey, this should be done at the site access. Leicestershire County Councils Network Data & Intelligence Team may already hold speed survey data on record which the Applicant can purchase, or alternatively can undertake a speed survey on the Applicants behalf. The Applicant may wish to employ the services of a third party to undertake a speed survey, however, the Applicant should be advised that a permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire. Should the Applicant require any further information or a permit, they should contact ndi@leics.gov.uk.

Vehicular visibility splay envelopes should be drawn in accordance with Figure DG2a of Part 3 of the LHDG and should be over the Applicants or highway land, and not over third party owned land to a point 1 metre into the highway.

The Applicant is advised that the access should be hardbound for a minimum of 5m behind the highway boundary in order to prevent debris and loose aggregate being deposited onto the highway. This would be dealt with at the RM application stage.

The LHA would request a gate set back distance of at least 5m, this is to ensure the vehicles can pull clear of the highway when accessing and egressing the site. Again, this would be dealt with at the RM stage.

The 'Bin Collection Point' should not be within the highway, nor should it impede the vehicular visibility splay envelopes. However, this is not a material matter for the LHA.

Highway Safety

The LHA have checked their Personal Injury Collision (PIC) database and find there have been no recorded PIC's within 500m to the southwest and approximately 136m to the northeast to the junction of Main Street/Barton Road/Bosworth Road.

However, the acceptability of the proposals would 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 three x five bedroom dwellings. As such, the Applicant should provide three off-street car parking spaces per dwelling as per Paragraph 3.151 of Part 3 of the LHDG. Whilst the Applicant has demonstrated on 'Proposed Site Layout', drawing number 23-49-PL02-B an adequate quantum of parking provision for plots 1 and 3, plot 2 is dependant on the integrated garage. However, in order to be counted towards off-street car parking provision, garages should accord with Paragraph 3.200 of Part 3 of the LHDG. This states the internal dimensions of garages should be 6m by 3m for a single garage, and 6m by 6m for a double garage. This can be addressed at the RM stage.

The LHA are satisfied the off-street car parking spaces are in accordance with Paragraph 3.165 of Part 3 of the LHDG in terms of dimensions.

Whilst the turning head within the site does not accord with Figure DG4b of Part 3 of the LHDG, and turning within the site for plot 3 may require a two or three point turn, given the site is to remain private and the turning head is approximately 24m away from the public highway, the LHA would not seek any amendments in these site specific circumstances.

Public Right of Way (PRoW) S50

The Applicant should be aware that PRoW S50 runs to the east of the site. The LHA notes the Applicant has revised the location of the 'Bin Collection Point' to the west of the access which is welcomed by the LHA. However, there is a need for detailed discussion on the surface treatment of the PRoW S50 and it is recommended that such provision is dealt with at the RM stage.

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 Proposed Site Layout, drawing number 23-49-PL02-B. Thereafter the onsite parking and turning provision shall be kept available for such use 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).

2. No development shall take place until a scheme for the treatment of the Public Right(s) of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing, width, structures, signing, and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: to protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework 2023.

Date Received
7 September 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
28 September 2023