

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: 24/01048/P3CQ

Highway Reference Number: 2024/1048/04/H/R4

Application Address: Land South Of Retreat Farm Whittington Lane Thornton Leicestershire

Application Type: Full

Description of Application: Re-consultation. Notification to determine if Prior Approval is required for the change of use of an agricultural building to a dwellinghouse (Class C3)

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mr Nicholas Hart

County Councillor: Cllr Peter Bedford

Parish: Bagworth & Thornton

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 116 of the National Planning Policy Framework (2024), 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 re-consulted on the above application seeking 'notification to determine if Prior Approval is required for the change of use of an agricultural building to a dwellinghouse (Class C3),' on Land South of Retreat Farm on Whittington Lane near Thornton, Leicestershire.

The following submitted documents have been considered in the formulation of these observations:

- 'Location Plan,' drawing number 9205-01-01 Revision C
- 'Proposed Site Plan,' drawing number 9205-03-01 Revision E
- 'Proposed Site Access Plans,' drawing number 9205-03-04

Site Access

In its previous consultations on this application, the LHA requested that the Applicant demonstrate the ability of a tractor and trailer and a car, to pass each other in opposing directions, within the proposed access whilst standing clear of the public highway.

The Applicant has submitted a scaled vehicle tracking drawing titled 'Proposed Site Access Plans,' drawing number 9205-03-04, demonstrating a car within the proposed access, whilst a tractor and trailer attempts to access the site in an opposing direction, in addition to a tractor and trailer within the access whilst a car attempts to enter the access, in an opposing direction. Therefore, the LHA is satisfied that vehicles will be able to enter and exit from the proposed access whilst standing clear of the public highway.

The Applicant has demonstrated on the submitted drawing that they intend to remove the existing gates and have not demonstrated any new gates on their submitted drawing. The LHA is satisfied that the removal of the existing gates can be secured by condition and therefore has no further comments to make on this issue.

The Applicant has demonstrated surfacing with a hard bound material for a distance of 15 metres behind the highway boundary and across the entire access width. This is considered acceptable to the LHA and can be secured by condition.

Whilst the Applicant has not demonstrated any achievable vehicular visibility splays on a scaled drawing, the LHA is satisfied that the Applicant will be able to achieve suitable vehicular visibility splays in both directions from the proposed access.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing titled 'Proposed Site Access Plans,' drawing number 9205-03-04, 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 (2024).

2. 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 15 metres of the highway boundary.

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 (2024).

3. 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 15 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 (2024).

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.

Date Received
28 April 2025

Case Officer
Harry Smith

Reviewer
VV

Date issued
12 May 2025