

**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: 23/01065/FUL

Highway Reference Number: 2023/1065/04/H/FSA

Application Address: Land Adjacent To 77 Roseway Stoke Golding Leicestershire

Application Type: Full

Description of Application:

Construction of a single dwelling, a double detached garage and associated access, landscaping, dropped kerb and other works (Self-build)

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Ms E Taberer

County Councillor: Bertie Harrison-Rushton

Parish: Stoke Golding

Road Classification: Adopted Unclassified

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) is in receipt of a consultation for a full application to construct a single dwelling at land adjacent to 77 Roseway, Stoke Golding.

The LHA are aware of application reference 21/01442/FUL at the site, which was refused by the Local Planning Authority on 31 August 2023. That application was refused on non highway matters and the LHA advised no objection subject to conditions.

Site Access

Access to the site is proposed off Roseway, an adopted road subject to a 30mph speed limit.

It should be noted that the site access is proposed off the access road off the new site access road to application reference 20/00779/OUT. The reserved matters application (21/01413/REM) was approved by the LPA on 21 November 2021 and while the Applicant intends for the internal access roads to be adopted by Leicestershire County Council, the LHA's final advice advised they would need to remain in private ownership. Should the developer of that site undertake amendments to the design at the detailed design stage to ensure the roads can be adopted, it could be several years before adoption.

As per the previous application, it is stated within the Design & Access Statement (dated 7 November 2023) that the landowner has a prescriptive easement agreement with Cora that allows access from the new development road directly to the proposed house. Cora drawing number MT-ACCESS-PLAN Rev A also shows the Applicant's access rights to the neighbouring development access road.

STP Architecture drawing number 23.046.04 provides details of the site access arrangements. This shows that an access with a dropped kerb arrangement with a width of 4.5m. As per part 3, Figure DG17 of the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>). visibility splays of 1 x 25m have been shown in each direction on the drawing. While the LHA would not accept a setback distance of 1.0m, it is satisfied visibility splays of 2.4 x 25m in each direction could be achieved given the design speed of the neighbouring development access road is 20mph.

Highway Safety

Based on available records to the LHA, there have been no recorded Personal Injury Collisions along Roseway during the last five years.

Internal Layout

STP Architecture drawing number 23.046.04 provides details of the internal layout of the site. While the internal garage dimensions not are in accordance with Part 3, Paragraph 3.200 of the LHDG and therefore the garage cannot count towards parking provision, the LHA are satisfied there is sufficient parking space within the site to cater for three vehicles without the garage.

Conditions

1. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 2.4 metres, a gradient of no more than 1:12 for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a 3.7m minimum width dropped crossing. The access once provided shall be so maintained at all times.

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 metres by 25 metres 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. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian 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 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 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 (2023).

5. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with STP Architecture drawing number 23.046.04. Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) 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).

6. 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).

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
21 November 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
4 December 2023