

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: 24/00179/REM

Highway Reference Number: 2024/0179/04/H

Application Address: Land Opposite Spring Acre Lychgate Lane Burbage Leicestershire

Application Type: Reserved Matters

Description of Application:

Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following Outline Approval 22/00192/OUT (Allowed under appeal APP/K2420/W/23/3321670) comprising 82 dwelling, car parking, open space, children's play area and associated infrastructure

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Wayne Worsdale

County Councillor: Cllr Amanda Wright

Parish: Burbage

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 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) has been consulted on a Reserved Matters application of outline application reference 22/00192/OUT (Allowed under appeal APP/K2420/W/23/3321670) for a residential development of up to 85 dwellings at Land Opposite Spring Acre, Lychgate Lane, Burbage. Appearance, landscaping, layout and scale are to be determined as part of this application

Internal Layout

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>).

The LHA has reviewed proposed site layout drawing number EM-LLB-200 and can advise that currently, the internal layout is not considered suitable for adoption. Whilst the LHA does not consider the layout to be unsafe, and therefore would not seek to object to the application, the Applicant will need to make the amendments below at this application stage should they wish for the internal layout to be considered for adoption, otherwise the road network would remain private.

- When submitting further details please ensure the plan is coloured appropriately, using a key to state this. Please make sure it is clear what is proposed for adoption.
- Speed control measures will need to be designed into the road layout. In this instance, the maximum distance between speed control measures, junctions or 90-degree bends is either 60m or 40m depending on the design speed of the road. Further information can be found in the LHDG Part 3, section DG4, table DG8
- Bend widening should be implemented at the bends between Plots 24 and 58, in line with Part 3, Para 3.33 of the LHDG
- The turning head from plot 51 is unnecessarily large, serves no highway purpose, and does not need to be extended beyond the radii. The Applicant should shorten the turning head to just beyond the radii and extend the private drive to suit. Please see Part 3, Figure DG4b of the LHDG for further information. Furthermore, the end of the turning heads can be reduced to 1m service margin at the end.
- The radii at the junctions and turning heads should be detailed on the plan, to ensure they are in accordance with the LHDG.
- The junction radii should be 6m for any side roads and labelled. For further information please see Part 3, Table DG5 of the LHDG.
- The developer should also note that radii for turning heads should typically be 7.5m and labelled. Please see Part 3, Figure DG4b of the LHDG for further information.
- Vehicle tracking of the site is required using a Phoenix 2-23W 6x4 wide refuse collection vehicle, the dimensions of which can be provided if required.
- The shared surfaces should be in accordance with the Residential Access Way column in Part 3, Table DG1 of the LHDG. Shared surfaces are to be a completely flush block paved 7.5m corridor, consisting of a 4.8m 'carriageway' and 2x1.35m 'footways'.
- 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.

- Clarification is required regarding the vehicle type(s) for the pumping station will be needed as part of the S38 process, as well as the frequency of use, as this may affect the carriageway construction depths and widths. Footway strengthening may be required on o/s the pumping station, please see Part 3, Table DG5, note G of the LHDG

Additional Information

- Where a property is situated more than 45m from the highway, the Applicant must cater for emergency vehicles by providing a construction suitable for larger vehicles. The minimum width for access should be at least 3.7m (between kerbs) and fire vehicles should not have to reverse more than 20m
- Tracking for a fire vehicle should be provided for any private drives measuring over 20m. This must be in accordance with British Standards BS5906, 2005 and Building Regulations Approved Document B, Fire Safety 2006.
- If tree's are to be planted, please ensure that any tree that is to be planted within the highway or the vicinity of the highway is provided with the necessary root protection and likewise and any tree that is to remain within the highway or vicinity of the highway is also provided with the necessary tree root protection
- Where trees are to overhang the highway, they must be of a type with a minimum clear stem of 2.2m. Please note that any tree that is to be situated within the highway will attract a commuted sum in accordance with the LHDG Part 4, MC18.
- The carry distance for some householders on private drives (e.g. Plot 8 on Shared Drive 01) exceeds the ideal maximum of 30m by quite some distance (The Building Regulations 2010, Drainage and Waste disposal Approved Document H, Para 1.8, Page 54)
- Gradients should conform to the standards set out in Table DG1: General geometry of residential road (internal) of the LHDG.
- All drainage should be in accordance with part 3 DG11 of the LHDG. It must be ensured that surface water from private land does not run or pool in the public highway.
- At this stage it is not possible to comment on the vertical alignment, drainage, materials or proposed construction details.

Parking

- The parking provision for the six Saltaire housing Plots is insufficient and needs to be increased. Please refer to heading titled Class C3 – Dwelling Houses within the attached guidance Highway Requirements Part 4
<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2022/3/22/Highway-requirements-for-development-part-4-parking-standards.pdf>
- Tandem parking should measure 12 metres in length, yet this is substandard on a number of plots throughout the site and therefore needs amending.

- Parking spaces should typically be 5.5m in length. A shortfall in parking bay length is particularly problematic where parking is in a tandem arrangement or directly adjacent to the footway, therefore potentially resulting in obstructions for pedestrians. The following should therefore be revised accordingly: Plots 1, 2, 13, 35 - 38, 41, 51 – 54, 58 – 63, 77 – 81
- Where parking spaces are bound on one side, they should be increased in width by 0.5m or 1m where bound on both sides. Therefore the parking spaces associated with Plots 11, 19, 30, 40, 47 and 64 need to be amended.
- Where a private drive is in excess of 25m, it will need to be 5m in width. The width of the private drives serving Plots 15 - 18 and Plots 47 - 50 therefore needs amending.

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 Avant Homes drawing number EM-LLB-200. 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 Figure DG20 of 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 (2021)

Informatives

- 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
28 February 2024

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
19 March 2024