

**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: 23/01201/CONDIT

Highway Reference Number: 2023/1201/04/H

Application Address: Ashby House Hill Top Farm Hill Top Earl Shilton Leicester Leicestershire LE9
7DP

Application Type: Variation of Condition (s73)

Description of Application:

Variation of conditions 2 (Approved plans) and 19 (Hard and soft landscape) for planning permission 20/00916/FUL (Demolition of farm buildings and Ashby House and development of 50 dwellings comprising 49 no. affordable houses and 1no. bungalow to replace Ashby House, with access road off Leicester Road, open space, landscaping, drainage basin, and foul pumping station)

GENERAL DETAILS

Planning Case Officer: Emma Baumber

Applicant: Tony Hopkin

County Councillor: Richard Allen

Parish: Earl Shilton

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:

No objection

No objection to Variation of Condition 2 (Approved plans) attached to 20/00916/FUL.

No comments

Condition 19 (Hard and soft landscape) attached to 20/00916/FUL was not advised by the Local Highway Authority (LHA) who therefore have no comments to make on these details.

Advice to Local Planning Authority

Background

The LHA are in receipt of application 23/01201/CONDIT submitted in order to vary condition 2 (Approved plans) attached to planning permission 20/00916/FUL.

20/00916/FUL granted permission for the demolition of farm buildings and Ashby House and the development of 50 dwellings comprising 49 x affordable houses and 1 x bungalow to replace Ashby House, with access road off Leicester Road, open space, landscaping, drainage basin, and foul pumping station.

Condition 2

'The development hereby permitted shall not be carried out other than in accordance with the following plans:

*Site Location Plan drawing number 40963 005
Proposed Layout Plan drawing number 40963 008 Rev L
Boundary Treatment Plan drawing number 40963 009 Rev G
Birmingham 2B4P and Bromwich 2B4P drawing number 40963 010 Rev D
Birmingham 2B4P and Bromwich 2B4P drawing number 40963 011 Rev D
Birmingham 2B4P x3 drawing number 40963 014 Rev C
Birmingham 2B4P x2 drawing number 40963 016 Rev D
Birmingham 2B4P x2 Hipped drawing number 40963 017 Rev B
Birmingham 2B4P x2 Rendered drawing number 40963 018 Rev B
Cosford 3B5P x2 Hipped drawing number 40963 020 Rev D
Cosford 3B5P x2 drawing number 40963 022 Rev B
Cosford 3B5P x2 Rendered drawing number 40963 023 Rev B
Material Distribution Plan drawing number 40963 024 Rev G
Cosford 3B5P x2 Hipped and Rendered drawing number 40963 025 Rev C
Bungalow drawing number 40963 026 Rev C
Birmingham 2B4P and Bromwich 2B4P OP drawing number 40963 028 Rev C
Birmingham 2B4P+Bromwich 2B4P hipped drawing number 40963 030 Rev C
Presentation Layout Plan drawing number 40963 031 Rev G
Birmingham 2B4P and Bromwich 2B4P x3 drawing number 40963 040
Landscape Character Plan drawing number 40963 041 Rev C
Site Sections drawing number 40963 042 Rev A
Road adoption/Land use drawing number 40963 043 Rev D
Birmingham 2B4P and Bromwich 2B4P drawing number 40963 044
Birmingham 2B4P and Bromwich 2B4P drawing number 40963 045
Drainage Strategy P05 10015653-ARC-XX-XX-SK-C-0006*

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies DPD (2016).'

Highways Comments:

The 'Covering Letter' and 'Application Form' provided by the Applicant states the purpose of this 'Application for Variation of a Condition following Grant of Planning Permission' is to obtain approval to the variation of the proposed layout plan, in order to amend the location of plots 31-32 & 38-50, and to adjust the proposed site levels, to suit the actual site topography on site and mitigate/re-design some of the extensive retaining structures that were impractical to construct on site.

The LHA have reviewed the information provided as part of the application and make the following comments.

It is noted that some dwellings have been repositioned slightly which are plots 31-32 and plots 38-50. It is also noted that the off-street car parking associated with plot 47 has been relocated from the northeast of the dwelling to the main parking area serving plots 48-50, this is acceptable to the LHA. It should also be noted this parking arrangement complies with Paragraph 3.165 in terms of parking size dimensions.

Taking all the information provided into consideration the LHA would not seek to object to the variation of condition 2 attached to 20/00916/FUL.

Note

Whilst not being considered as part of this application, as previously stated within the LHA's observations provided to the Local Planning Authority (LPA) on 14 December 2021, forward visibility splay of 25m adjacent to plot 15 has not been shown to fall within highway land, this would need to consist of a widening of the footway round the bend. This would also require the parking provision for Plot 15 to be located further in to the garden so that forward visibility was not obstructed by parked cars on the driveway. This amendment to the design would result in the internal road layout being to an adoptable standard.

However, the LHA considers this could be undertaken at detailed design, subject to the LPA being satisfied the parking spaces could be relocated further in to the plot.

Date Received
4 January 2024

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
18 January 2024