

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00448/DISCON
Applicant: C J & M A Freeman & James
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 25 Windsor Street Burbage Hinckley

Application to discharge condition 4 (TRO scheme) attached to planning permission 22/01101/FUL

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 4

Prior to commencement of the development hereby permitted, a scheme to amend existing Traffic Regulation Orders (TRO) fronting the site on Windsor Street shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented in full prior to first use of the development.

Received 5 May 2023

C4 - (TRO Scheme) Proposed Floor Plan & Elevation - Drg No. 4784/02 C

Consultees / Assessed by:

Leicestershire County Council – Highways

Conclusion / Summary:

Condition 4

A scheme has been submitted and assessed by the Highway Authority which details the proposed amendments to the existing TRO's on Windsor Street and would enable the site access to be constructed. The LHA accepts the principle of the proposed works, however it still requires the applicant to enter into a Section 278 Agreement with Leicestershire County Council Highway Authority in order to deliver the scheme and also pay £7,500 contribution towards the costs associated with amending the TRO. The scheme also requires public consultation prior to implementation and could be amended as a result of this.

The LPA are of the opinion that the details are acceptable to discharge the condition as the principle of the scheme will improve the access in interests of general highway safety, in accordance with the National Planning Policy Framework (2021) subject to its implementation and that the applicant will obtain approval of the scheme from the Local Highway Authority through the Section 278 process and complete the necessary public consultation.

If the scheme approved by the LPA is not implementable due to the scheme being declined through the Section 278 process the applicant will need to apply to re-discharge the condition with a scheme that the Highway Authority will approve through the Section 278 process.

The LPA is confident that the Highway Authority has its own powers of enforcement through the Road Traffic Regulation Act 1984 should this scheme be implemented without their approval as approval of Section 278 works are for off site works.

Officer Recommendation:

Condition 4 TRO – Discharge Note to Applicant ; Subject to formal approval from HA