Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.

Leicestershire County Council

Response provided under the delegated authority of the Director of Environment & Transport**.**

APPLICATION DETAILS:

Planning Application Number: 23/00705/FUL

Highway Reference Number: 2023/0705/04/H

Application Address: Upper Pullins Farm Stoke Lane Higham On The Hill Nuneaton Leicestershire CV13 6FG

Application Type: Full

Description of Application: Change of use of existing barn to C3 dwelling with associated private amenity space and parking

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GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: C/O Agent

County Councillor: Bertie Harrison-Rushton

Parish: Higham on the Hill

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 111 of the National Planning Policy Framework (2021), 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 application 23/00705/FUL for the change of use of a barn formerly used for equestrian purposes to form a four bedroom dwelling at Upper Pullins Farm, Stoke Lane, Higham On The Hill.

Site Access

No amendments are proposed to the existing access onto Stoke Lane, Higham which is an adopted, 'C' classified road subject to a 60 mph speed limit.

The LHA is satisfied that the existing access is suitable to serve the proposed development and that the proposals will have a minimal impact on the existing highway network.

Public Rights of Way

Public Footpath T46 runs adjacent to the proposed development. Access to this site and Public Footpath T46 overlap for 20 metres from Stoke Lane.

The LHA is satisfied that the continued use and enjoyment of Public Footpath T46 can be achieved and secured via imposing a condition on the decision notice, should the Local Planning Authority (LPA) be minded to grant approval of the planning application.

Highway Safety

There has been no recorded Personal Injury Collisions within 500 metres in all directions of the site access in the previous five years.

Therefore the LHA has no pre-existing highway safety concerns at this location.

Internal Layout

Drawing, 'Block Plan' submitted to the LPA 14 July 2023 shows the provision of four off-road parking spaces to serve a four bedroom dwelling which the LHA confirms is in accordance with Part 3, paragraph 3.151 of the Leicestershire Highway Design Guide. Also shown is suitable space to allow vehicles to turn so that the highway is approached in a forward gear which the LHA welcome.

The afore mentioned drawing shows that each parking space measures 5 metres by 2.4 metres which the LHA deem as acceptable.

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 drawing 'Block Plan' submitted to the LPA 14 July 2023. Thereafter the onsite parking and turning provision shall be kept available for such use 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 (2021).

2. As the pedestrian public right of way shares the access drive with Vale Farm and the barn application site, and as the route-in use of the public footpath beyond that runs next to the outside end of the northern site boundary, any fencing sub-dividing the current shared wide access and/or changes to the northern site boundary, either of which might affect the public footpath, must be approved by the Local Planning Authority in accordance with the principles set out in the Leicestershire County Council’s Guidance Notes for Developers on Public Rights of Way.

REASON: In the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework (2021).

Informative

- Prior to construction, measures should be taken to ensure that users of Public Footpath T46 are not exposed to any elements of danger associated with construction works.

- Public Footpath T46 must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.

- Public Footpath T46 must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.

- If the developer requires Public Footpath T46 to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

- Any damage caused to the surface of Public Footpath T46, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.

- No new gates, stiles, fences or other structures affecting Public Footpath T46, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received	Case Officer	Reviewer	Date issued
24 July 2023	**Simon Herbert**	**BD**	**11 August 2023**