

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: 24/01121/P3CQ

Highway Reference Number: 2024/1121/04/H

Application Address: Frog Hall Farm Crow Lane Sheepy Magna Atherstone Leicestershire CV9 3QX

Application Type: Change of Use

Description of Application: Notification to determine if Prior Approval is required for the change of use of two agricultural buildings to create five smaller dwellinghouses

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr And Mrs H Fisher

County Councillor: Bertie Harrison-Rushton

Parish: Sheepy

Road Classification: Adopted Unclassified

Substantive Response provided in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3, Class Q:

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 116 of the National Planning Policy Framework (2024), 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 by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

'Notification to determine if Prior Approval is required for the change of use of two agricultural buildings to create five smaller dwellinghouses.'

The proposals are at Frog Hall Farm, Crow Lane, Sheepy Magna, Leicestershire, CV9 3QX.

This application is identical to a previously submitted application under 22/00137/P3CQ. The LHA advised approval in matters relating to the highway subject to conditions on 29 March 2022. Prior Notification was given by the LPA on 5 April 2022.

Application 22/00137/P3CQ was granted on 5 April 2022 for the change of use of two of the larger agricultural buildings to create five individual dwellinghouses along with proposed building operations in accordance with Class Q of Part 3 to Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015. However, works are yet to commence on the creation of these dwellings. In order to comply with the Prior Notification application, these would be required to be completed by the 4 April 2025 which cannot be achieved.

Given this is an identical application of a currently extant application to which the LHA advised approval, the LHA would not seek to resist the application in these site-specific circumstances. The LHA have copied the condition over from the previously approved scheme.

Condition

1. The development hereby permitted shall not be first used until such time as the nine designated parking spaces have been implemented. 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 (2024).

Informative

- The Public Right(s) of Way 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.
- The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- If the developer requires a Right of Way 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 a Public Right of Way, 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 a Public Right of Way, 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**
17 December 2024 **Neal Chantrill**

Reviewer
BD

Date issued
8 January 2025