

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: 23/00657/P3CQ

Highway Reference Number: 2023/0657/04/H

Application Address: Bridge Farm Twycross Road Sibson Nuneaton Leicestershire CV13 6LB

Application Type: Full

Description of Application: Change of use of agricultural building to dwelling

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr And Mrs Batchelor

County Councillor: Bertie Harrison-Rushton

Parish: Sheepy

Road Classification: Class A

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 23/00657/P3CQ for the change of use of an agricultural building to form a residential dwelling at Bridge Farm, Twycross Road, Sibson.

Paragraph 2.4 of the Supporting Statement (SS) created by JMI Planning, June 2023 advises that the building proposed to be developed is currently used for the storage of agricultural machinery, hay, and straw in association with the Applicant's nursery business.

Site Access

Bridge Farm is located on A444- Twycross Road which is a highly trafficked 'A' classified road subject to a 50 mph speed limit. No changes are proposed to the existing access that serves the nursery and an existing residential dwelling.

Paragraph 4.3 of the SS states that the proposals would result in fewer movements than the current lawful use of the building as a nursery generates. Whilst no evidence has been provided to support this statement the LHA are satisfied that the proposed development is unlikely to result in a material increase or a material change in the character of traffic in the vicinity of the site or create any additional highway safety issues and therefore would not seek to resist the application.

Public Rights of Way

Public Footpath T21 runs adjacent to the proposed development. The LHA are satisfied that the use and enjoyment of Public Footpath T21 will not be significantly affected by the proposals.

Highway Safety

In the previous five years there has been one recorded Personal Injury Collision (PIC) within 500m on either side of the proposed access. This PIC occurred 150m south of the site access and involved a vehicle leaving the carriageway and colliding with a tree. Sadly this PIC resulted in a fatality.

The LHA is satisfied that there are no patterns in the data which could be exacerbated by the proposals.

Internal Layout

Proposed is the formation of a five bedroom dwelling. As to accord with part 3, paragraph 3.151 of the Leicestershire Highway Design Guide an off-street parking provision of three spaces should be provided.

Whilst no detailed parking plan has been submitted the LHA are satisfied that three parking spaces can be provided along with turning space so that vehicles approach the highway in a forward gear.

Conditions

1. The development hereby permitted shall not be occupied until such time as at least 3 designated parking spaces and turning facilities 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 (2021).

Informative

- Prior to construction, measures should be taken to ensure that users of Public Footpath T21 are not exposed to any elements of danger associated with construction works.
- Public Footpath T21 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.

- If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The Applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- If the developer requires Public Footpath T21 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.
- Public Footpath T21 must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- Any damage caused to the surface of Public Footpath T21, 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 T21, 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
2 August 2023

Case Officer
Simon Herbert

Reviewer
BD

Date issued
23 August 2023