

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: 23/00791/OUT

Highway Reference Number: 2023/0791/04/H

Application Address: Red House Farm 39 Main Road Ratcliffe Culey Atherstone Leicestershire
CV9 3NY

Application Type: Outline

Description of Application:

Outline planning permission for replacement farmhouse (all matters reserved)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mrs D Vann

County Councillor: Bertie Harrison-Rushton

Parish: Witherley

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 (2023).

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted on an outline application for a replacement farmhouse at Red House Farm, 39 Main Road, Ratcliffe Culey, Atherstone. All matters are reserved at this stage.

Site Access

The LHA advise it has no objection to the principle of a safe and suitable access to the site at the present time, given there is an existing access within the Applicants red line boundary. While visibility is considered to be restricted at the existing access, the proposals are for a replacement dwelling and not a new dwelling.

The LHA are also aware of application reference 20/01292/P3CQ, which was granted planning permission on 18 February 2021. As part of that application, improvements were proposed to the

site access including removal of a wall. The LHA advise removal of the wall fronting the site would be welcomed as part of any future proposal where access is to be considered, if it has not been removed prior to such an application being submitted.

Highway Safety

Based on available records to the LHA, there have been no recorded Personal Injury Collisions on Main Road within 500m either side of the site access within the last five years.

Public Rights of Way

Public Footpath T12 runs through the proposed development. An extract from the Definitive Map of Public Rights of Way is shown in Figure 1 for information.

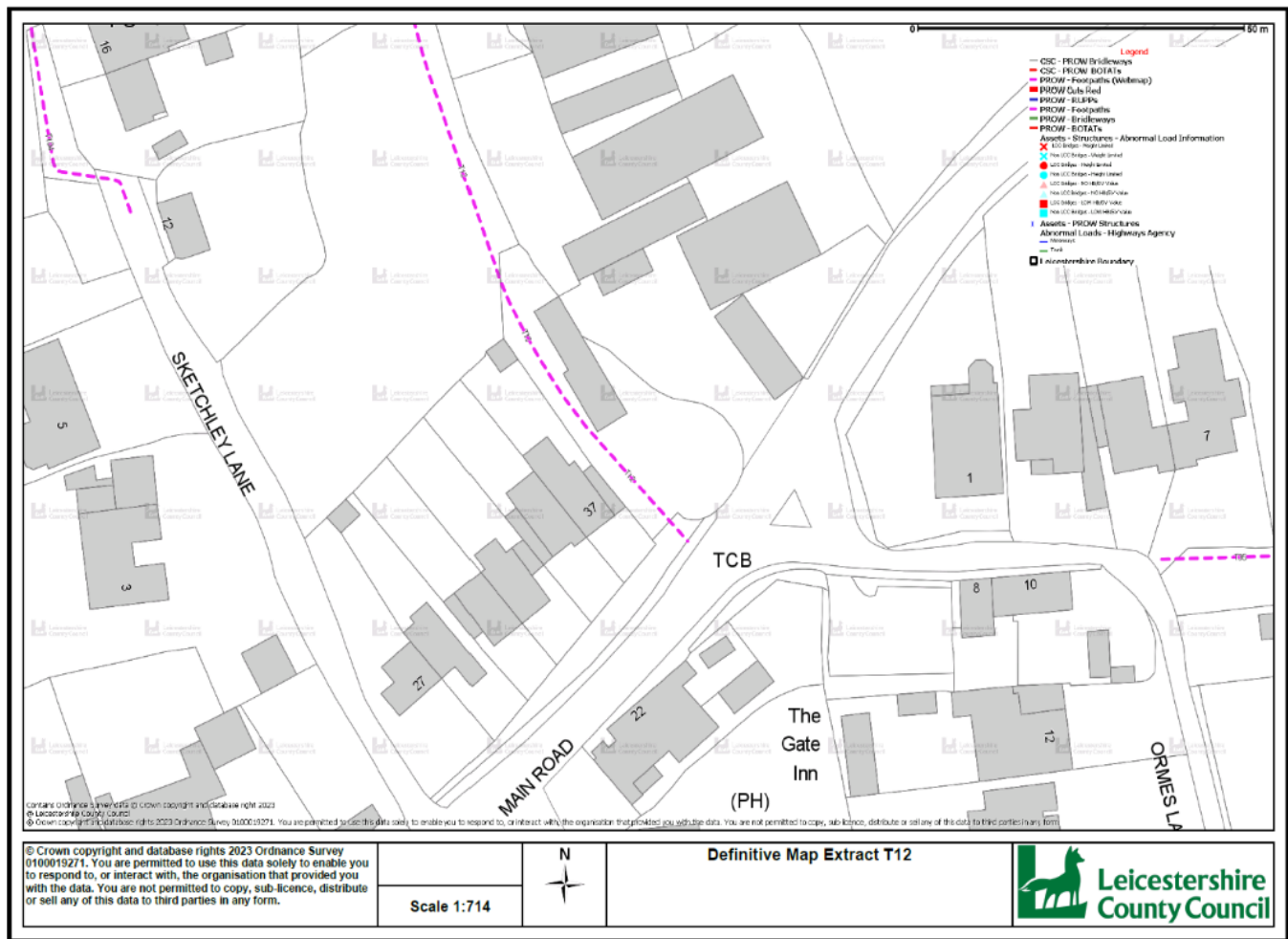


Figure 1: Public Footpath T12

The LHA advise that it will give further consideration and advice in respect of any impact that the proposals could have on Public Footpath T12 at the Reserved Matters stage once further details are known. It is advised the Applicant will need to give consideration to the Guidance notes for Designers, Developers and Planners, which is available at <https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2022/3/18/Rights-of-way-guide.pdf> and the informative's below.

Informative

- A Public Right 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.
- 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 Local 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 Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.

Date Received
22 August 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
7 September 2023