

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: 24/00040/OUT

Highway Reference Number: 2024/0040/04/H

Application Address: 193 Shaw Lane Markfield Leicestershire LE67 9PW

Application Type: Outline

Description of Application:

Outline planning permission for the erection of up to 4 dwellings (some matters reserved except for access and layout) following the demolition of existing commercial buildings

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr Moore

County Councillor: Cllr Peter Bedford

Parish: Markfield

Road Classification: Adopted Unclassified

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 115 of the National Planning Policy Framework (December 2023), 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), which seeks:

'Outline planning permission for the erection of up to 4 dwellings (some matters reserved except for access and layout) following the demolition of existing commercial buildings'

The proposals are at on land to the rear of 193 Shaw Lane Markfield Leicestershire LE67 9PW .

Site Access

The Applicant is proposing to utilise the existing access onto Shaw Lane. The application seeks the demolition of the existing commercial buildings and the erection of two x 3 bed dwellings and two x four bed dwellings.

The site appears to have been operated as a haulage yard from the 1980's until 2021. Whilst this use was never formalised through the planning process, this will be a matter for the Local Planning Authority (LPA). The LHA will assess the application in good faith given the passage of time, and consider the change of use immune from enforcement action. If this is not the case, the Local Planning Authority (LPA) should notify the LHA.

The LHA have reviewed the drawing titled 'Proposed Site', received by the LPA on 15 January 2024 and make the following comments.

The LHA finds the access accords with Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG), in terms of effective access width and distance behind the public highway.

Whilst the Applicant has not provided any detailed pedestrian or vehicular visibility splay drawings, the LHA have taken the following into consideration:

- The extant use of the site;
- The proposals removing the requirement for large slow moving vehicles accessing and egressing the site; and
- It could not be reasonably demonstrated the proposals would lead to an intensification of use of the access over the extant use of the site.

As such, the LHA consider it would be unreasonable to request this information in these site specific circumstances.

Given the above, the LHA consider the access arrangements acceptable.

Highway Safety

The LHA has assessed its Personal Injury Collision (PIC) database and find there have been no recorded PICs along the entire length of the Shaw Lane service road in the last five years.

The LHA would not expect the proposals to introduce any new highway safety issues that would be contrary to the National Planning Policy Framework (December 2023)

Internal Layout

Having reviewed 'Proposed Site', received by the LPA on 15 January 2024, the LHA finds the proposals accord with Paragraphs 3.151 (quantum of off-street car parking), 3.165 (parking space dimensions) and Figure DG13 (on-site turning).

Other considerations

Due consideration should be given to waste collection provision; refuse vehicles are unlikely to access the site given that it is located more than 25m from the highway boundary and via a private drive. The Applicant should be aware, any bin collection point should not be located within the visibility splays. However, this is not a material consideration for the LHA.

The LHA would not seek to resist the application subject to the following condition.

Links

LHDG - <https://resources.leicestershire.gov.uk/lhdg>

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements, parking and turning facilities shown on Proposed Site, received by the LPA on 15 January 2024 have been implemented in full and kept available for such use in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, and 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 general highway safety and in accordance with the National Planning Policy Framework (December 2023).

Date Received
18 January 2024

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
2 February 2024