

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: 23/00630/OUT

Highway Reference Number: 2023/0630/04/H

Application Address: Ben Venuto Thornton Lane Markfield Leicestershire LE67 9RP

Application Type: Outline (with access)

Description of Application:

Outline planning application for the new dwellinghouse, [(all matters reserved except for scale, layout and access)](resubmission of 23/00170/OUT)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Andrew Ward

County Councillor: Cllr Peter Bedford

Parish: Ratby

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) has been consulted on outline application 23/00630/OUT, for the construction of a new dwellinghouse (All matters reserved except for scale, layout and access)(resubmission of 23/00170/OUT). The proposals are at Ben Venuto, Thornton Lane, Markfield, Leicestershire, LE67 9RP. The application form indicates the area is currently used as a residential garden area.

As alluded to above, there has been one previous application at the site, details are provided below.

23/00170/OUT - Outline Planning Application for the construction of a new dwellinghouse (All matters reserved except for scale, layout and access). The LHA advised approval with conditions on 16 March 2023. However, the application was subsequently refused by the Local Planning Authority (LPA) on 28 April 2023 on non highway grounds.

Site Access

The Applicant has resubmitted 'Access Arrangements & Visibility Splays', drawing 23-132-SK01. Whilst the drawing submitted as part of this application is Rev A, it appears the revision is a clarification that the proposed access will have an effective access width of 2.75m. The LHA therefore has no objections to the site access arrangements.

Highway Safety

The LHA re-checked their Personal Injury Collision database and find that three Personal Injury Collisions (PIC's) have been recorded within 500m either side of the proposed access in the last five years, these were classed as slight in severity. One PIC involved poor weather conditions, no report has been received for one of the PIC's, the remaining PIC did not involve a turning manoeuvre.

The LHA would not consider the amount of expected trips to the site would exacerbate the current highway situation.

Internal Layout

The Applicant has resubmitted the following:

- Location Plan - Drawing Number 01;
- Proposed Site Plan - Drawing Number 03 Rev B
- Sketch Floor Plan - Drawing Number SK01; and
- Swept Path Analysis Estate Cars - Drawing Number 23-132-TR01 Rev A

All highway details appear to remain the same as previous. As such, the LHA has no objections to the internal layout arrangements.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements, parking and turning as shown on Site Plan - Proposed', drawing number 03 Rev B have been implemented in full. Thereafter the on-site parking and turning provision shall be kept available for such use in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may do so 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 in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 120 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

3. The development hereby permitted shall not be occupied until such time as the access drive and any turning space has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

4. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

Informative

Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

Date Received
30 June 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
7 July 2023