

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: 23/01134/ROW

Highway Reference Number: 2023/1134/04/H

Application Address: Land North East Of Triumph Motorcycles Ltd Normandy Way Hinckley
Leicestershire LE10 3BZ

Application Type: Full

Description of Application:

Application to divert footpath T53 in relation to permission 21/01262/REM

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Dan Southall

County Councillor: Cllr David Bill MBE

Parish:

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:

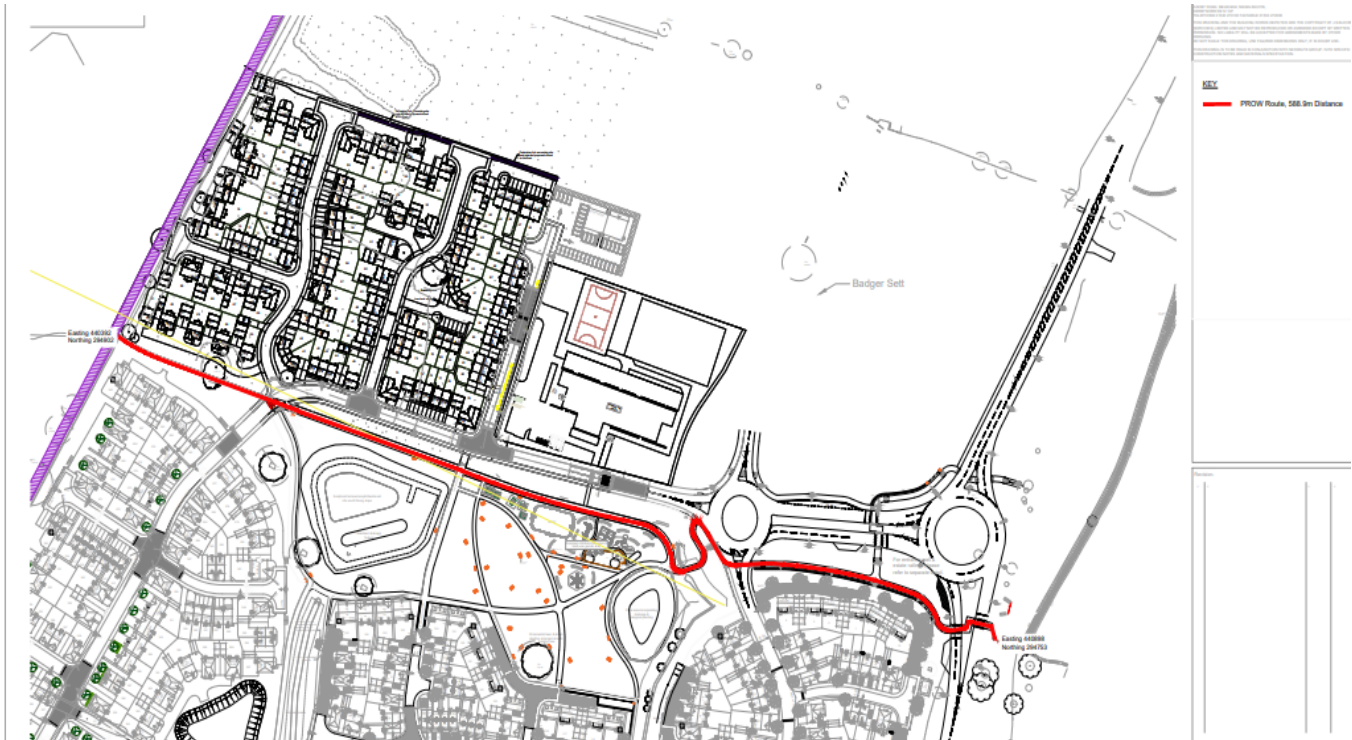
The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2023).

Advice to Local Planning Authority

Background

Public Footpath T53 is proposed to be diverted in connection with developments off Normandy Way, arising from application number 15/00188/OUT particularly phases 1 and 2.

The proposed diversion route is as shown on Bloor Homes Drawing No. MI100-EN-118 dated 24.11.23 and partially reproduced below.



It is understood that beside the western side of the two roundabouts, there is a significant difference in levels between the roadside and the play area to the southwest of it, so the sharp reverse curves indicated by the red line are necessary to ensure a suitable gradient.

The LHA has no objections to the proposed diversion providing that the order is conditional on works being completed to the satisfaction of the Environment and Transport Department of Leicestershire County Council.

The completed path should comply with the County Council's published guidance at: <https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/6/5/Rights-of-way-guide.pdf>. In addition, to comply with Countryside Act 1968 section 27, the applicant should commission the County Council to install signs and posts matching the Leicestershire Highways Design Guide specification SD/FP/7 where the footpath meets tarmac roads.

Informative

The following notes should be drawn to the applicant's attention:

- a) Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
- b) 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.
- c) The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- d) 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.

e) 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.

f) 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
29 November 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
15 December 2023