

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: 24/00229/FUL

Highway Reference Number: 2024/0229/04/H

Application Address: Oddfellows Arms 25 Main Street Higham On The Hill Nuneaton Leicestershire CV13 6AH

Application Type: Full

Description of Application:

Proposed development of 7 dwellings - the conversion of the existing building into 2 dwellings and 5 new build properties

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: Mrs Nicola Lea

County Councillor: Bertie Harrison-Rushton

Parish: Higham on the Hill

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) have been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for a proposed development of seven dwellings, including the conversion of the existing building into two dwellings and five new build properties. The proposals are located at Oddfellows Arms, 25 Main Street, Higham On The Hill.

The LHA is aware of a number of previous planning applications at the site in recent times, most recently 22/00124/FUL, a full application for the residential development of nine dwellings with associated access, parking and landscaping. This did not however include conversion of the existing public house to residential. The LHA advised no objection to the proposals subject to conditions on 11 May 2023. That application was refused by the LPA on 1st December 2023 on a number of non-highway related grounds.

The LHA have reviewed the following documents that have been submitted by the Applicant in support of the proposals:

- Transport Statement authored by ADC Infrastructure, reference ADC2302-RP-D; and
- Hayward Architects drawing number 50b (Block Plan)

Site Access

Details of the site access arrangements are shown in ADC drawing number ADC2302-DR-003 Rev. P1. Access to the site is proposed off Main Street, an unclassified road subject to a 20mph speed limit. Two access points are proposed, one to the west and one to the east of the existing public house.

As shown, six of the plots (Plots 2 – 7) would be accessed via the western point of access. This consists of a 4.8m wide carriageway, 6m kerb radii and 2m wide footways either side of the site access. Vehicular visibility splays of 2.4 x 25m have also been shown in each direction at the site access. The LHA advises the access is considered to be designed in accordance with Part 3, of the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>). Furthermore, the western point of access is similar in design to that accepted by the LHA as part of application 22/00124/FUL and it is in the same location as the current dropped kerbs to serve one of the public houses car parks.

Plot 1 would be accessed via the eastern point of access. The Applicant has submitted ADC drawing number ADC2302-DR-004 Rev. P1 which details a swept path assessment due to on-street parking opposite the driveway. This has been submitted with the view to demonstrating there would be no conflict between a vehicle accessing / egressing the driveway spaces and parked cars on Main Street. The Applicant has also considered forward visibility between the driveway and around the bend. The LHA advises that the proposed driveway currently serves another of the car parks for the public house. In addition, should drivers consider it inappropriate to park opposite the driveway in the event planning permission was granted and the access was brought back in to use, this would also free up further space for vehicles to access / egress the driveway. Overall, the LHA has no objection to the eastern access.

Highway Safety

The Applicant has reviewed Crashmap database in order to identify whether there have been any recorded Personal Injury Collisions within the vicinity of the site. This was for between 2017 and December 2022. No PIC's were recorded during this time. Whilst the LHA advise the Applicants PIC analysis is out of date given it only considers up to the end of 2022, based on the LHA's own records there have been no recorded Personal Injury Collisions within 500m of the site within the last five years up to the end of December 2023.

Trip Generation

The Applicant has used the TRICS database in order to estimate the number of vehicle trips the proposed development could generate during the AM and PM peak hours (08:00 – 09:00 and 17:00 – 18:00 respectively). The LHA advises that whilst detailed trip rate analysis is not required for the scale of the development proposed, the four two way trips in both the AM (three departures and one arrival) and PM (one departure and three arrivals) peaks would not be considered to have a severe impact on the surrounding highway network. Furthermore, it is considered the conversion of the public house to residential use and the wider development as a whole is likely to generate less traffic on the network overall, albeit with peak times for both uses being different (e.g. lunch times and evenings for the public house).

Internal Layout

The internal layout of the development is shown on Hayward Architects drawing number 50b. Based on the submitted application form, the Applicant proposes for the internal road to be adopted. The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with LHDG.

After reviewing the proposals, the LHA advises that in accordance with Part 3 of the LHDG, Leicestershire County Council will adopt a new road where it serves six or more dwellings. The proposed road only serves five plots as it excludes plot 1 off Main Street, and plot 5 off a private section, thus the internal road would not be considered for adoption. Should the Applicant wish for the road to be considered for adoption, the layout of the development would need to be re-designed at this stage, however whether or not the road is adopted would not be a reason for the LHA to object to the proposed development.

Parking Provision

The proposed development consists of three x 2 bedroom properties and four x three bedroom properties. On this basis, the LHA advises that each property should have a minimum of two car parking spaces.

After reviewing the drawing, the LHA is satisfied that an appropriate number of parking spaces is provided for each plot and the dimensions of each space are in accordance with Part 3, Para. 3.165 of the LHDG. The garage provision for Plot 3 also appears to be in line with Part 3, Para. 3.200 of the LHDG. The LHA would however advise that the parking spaces for Plots 2 and 3 are considered to be remote from the front doors of the properties and it would be beneficial for a gate and paving to be provided through the rear gardens to the spaces. In addition, the parking for Plot 5 could be difficult to access, however it is appreciated that occupiers of the dwelling would become familiar with accessing the spaces.

Transport Sustainability

The centre of the site is an approximate 300m walk of Higham on the Hill Primary School and 100m of a bus stop serving an hourly service to Hinckley. The village currently does not have a village shop and the proposals would convert the only public house in the village to residential use. This means that residents would either be reliant on public transport or their own vehicles for provisions or some leisure activities.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of [the routing of construction traffic], wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on ADC drawing number ADC2302-DR-003 Rev. P1 have been

implemented in full.

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

No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 25 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 (December 2023).

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Hayward Architects drawing number 50b. 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 (December 2023).

4. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG20 of the Leicestershire Highway Design Guide. The private access drives should be 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 (December 2023).

5. The development hereby permitted shall not be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (December 2023).

6. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (December 2023).

Framework (December 2023).

7. 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 gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

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 (December 2023).

8. Notwithstanding the submitted plans, any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors/ 6.1 metres for up-and-over doors / 6.5 metres for doors opening outwards and thereafter shall be so maintained.

Reason: To enable a vehicle to stand clear of the highway whilst the garage / car port doors are opened/closed, to protect the free and safe passage of traffic, including pedestrians, in the public highway, to ensure that adequate off street parking provision is available to reduce the possibility of on street parking problems locally and in accordance with the National Planning Policy Framework (December 2023).

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>.
- The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email road.adoptions@leics.gov.uk. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>.

Date Received
26 March 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
08 April 2024