

Response provided under the delegated authority of the Director of Environment & Transport.

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## **APPLICATION DETAILS**

Planning Application Number: 24/00854/REM

Highway Reference Number: 2024/0854/04/H

Application Address: Land East Of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire

Application Type: Reserved Matters

Description of Application: Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 22/00277/OUT for 239 dwellings with associated internal road layout, car parking, drainage, and landscaping. Discharge of conditions 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, and 19 of 22/00277/OUT

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## **GENERAL DETAILS**

Planning Case Officer: Hinckley and Bosworth Borough Council

Applicant: Ms Esther Wiles

County Councillor: Ross Hills

Parish: Newbold Verdon

Road Classification: Class C

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## **Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:**

### **Reserved Matters:**

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.

### **Discharge of Conditions:**

#### **Objection**

Objection to Discharge of Condition 8 and 9.

#### **No comments**

Conditions 7, 10, 11, 12, 14, 15, 16, 17, 18 and 19 were not advised by the Local Highway Authority (LHA) who therefore have no comments to make on these details.

## **Advice to Local Planning Authority**

### **Background**

The Local Highway Authority (LHA) has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on an application for reserved matters (site layout, scale, appearance, and landscaping) of outline planning application 22/00277/OUT (appeal decision reference APP/K2420/W/23/3331081) for 239 dwellings with associated internal road layout, car parking, drainage, and landscaping. The site is located at land east of The Windmill Inn, Brascole Lane, Newbold Verdon.

The Applicant has also applied to discharge several conditions imposed on the same application.

The LHA has reviewed the following drawings submitted in support of the proposals:

- The Greenfield Design Partnership drawing number TGDP/BLNV/CPL-1 (Colour Planning Layout)
- Travis Baker drawing number 016 (Refuse Vehicle Tracking)
- Persimmon drawing number NV\_ConMan\_001 Rev A (Construction Traffic Management Plan)
- Construction Environmental Management Plan (Dated August 2024)

The LHA first provides advice in respect of the reserved matters application in full and then subsequently addresses the application to discharge conditions further below.

### **Reserved Matters**

#### **Internal Layout**

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

After reviewing The Greenfield Design drawing number TGDP/BLNV/CPL-1, the LHA advises that the internal access roads are currently not suitable for adoption and the amendments below are required at the application stage prior to determination. The LHA advises that whilst the road layout is not considered unsafe and adoptability is not a material planning consideration, the following amendments to the layout should be undertaken at this stage, as plot layouts could be affected.

- It would be beneficial for the Applicant to add road numbers to the design plan as these aid with providing design comments.
- It is noted some of the proposed side roads have a width of 5.5m, which is inappropriate for their use, the width of these should be amended to 4.8m. Should the excess width on certain side roads be required to futureproof for further development, the Applicant should clarify this. However, it may be that they are liable to commuted sums until such a time as any further development is constructed.
- The LHA required a 6.75m wide access as part of the outline application given the number of dwellings proposed and the level of traffic which could be generated from a single point

of access. This width would also aid with vehicle movements in the event of roadworks/temporary traffic lights or any other temporary obstructions at the access for example. However, beyond a suitable distance from the site access (for example the bend outside Plots 7 & 8), the 6.75m width is not necessary for a development with this number of dwellings and could be tapered down. The Applicant could therefore amend the road width to comply with the design requirements detailed in Part 3 of the LHDG for a road serving 50 to 400 dwellings. Nevertheless, the LHA would have no objection to the route remaining at 6.75m if this was to futureproof the route for additional development. However, the Applicant may be liable to commuted sums on the additional width in the event no further development comes forward or the width is still not necessary to serve the additional development.

- The Applicant will need to amend the plan to design speed control into the layout, to maintain a 20mph design speed. Further information on speed control can be found in part 3 of the LHDG.
- To aid road safety as drivers enter the development from Brascote Lane, the Applicant should detail a speed table will be installed in the carriageway at private drive access points when entering the development in order to reduce vehicle speeds at this location.
- The design plan details that the roads shown below, fail to serve the required number of direct frontage access points (minimum five or more) as detailed in part 3 of the (LHDG). Please note even if the road provides access to private drives this doesn't count as direct frontage access.



- The Applicant should detail the location dropped crossing points are to be installed on site.
- 25m forward visibility through bends should be detailed on the design plan, this must be contained within the highway boundary.
- Similar to above, 25m visibility splays should be detailed at all junctions within the development on the design plan. It should be noted these must be contained within the highway boundary.
- The northern arm of the North Lane turning head is excessive in length. It is also noted from the swept path analysis provided that this additional arm length is not required to facilitate

the turning of a refuse vehicle. The turning head will need to be redesigned to comply with the LHA's design requirements and it will need to be detailed that a private access drive will be installed from the back of the turning head, to facilitate access to the pumping station and allotment parking area, this feature can then be conveyed to the Management Company.

- The plan details visitor parking bays are to be installed within this development. The LHA's preferred option would be for these site features to be removed from the internal road layout. Should the Applicant wish to retain these within the design, they will be required to pay a commuted sum to cover the additional maintenance cost of these proposed assets.
- Turning head radii should be detailed on the design plan, further information relating to design standards can be found in Part 3, Para. 3.36 onwards of the LHDG. Similarly, the junction radii at all junctions within the development should be detailed on the drawing. Further information relating to junction radii can be found in Part 3, Table DG5 of the LHDG.
- The LHA note that there is a private car parking area shown for the nearby allotments. The Applicant may wish to consider providing/ detailing a direct pedestrian link through from the car park to the allotment site on the drawing. A direct link to the allotments would likely maximise the potential usage of this parking area.
- The road, footway and service margin widths that are proposed within this development should be provided on the drawing for clarity.
- The Applicant should clearly identify access roads, access ways and any shared surfaces to be installed on site.

#### Additional Comments

- Based on available records, there is a water course running through the development site. The Applicant will need to make contact with the Lead Local Flooding Authority at [Flooding@leics.gov.uk](mailto:Flooding@leics.gov.uk), if the proposed works affect the existing water course.
- If the developer is required to culvert a water course under the proposed public highway, we will require a 3m easement to be provided at each end and either side of this feature.
- Gradients should conform to the standards set out in Table DG1: General geometry of residential roads (internal) in the Leicestershire Highway Design Guide (LDG).

#### Parking Provision and Shared Private Drives

The LHA has reviewed parking provision within the site and advises that the number of parking spaces provided per plot is acceptable. Garages, where provided, are also in accordance with the dimensions stated within Part 3, Para. 3.200 of the LHDG.

In terms of the dimensions of the parking spaces, several plots have dimensions below the widths required within Part 3, Paragraph 3.165 as they require additional widening to account for walls/ fences etc bounding one or both sides of the parking space. The LHA would ask the Applicant to ensure that parking space dimensions are in accordance with Para. 3.165 of the LHDG.

A few of plots, particularly corner plots, have private parking bays located remotely from the front door access points. Experience has shown this type of parking arrangement leads for

inconsiderate parking at junctions and on footways. The layout should be reviewed to resolve this issue. The Applicant could also provide gates between the driveways/ garages into the rear gardens of the plots along with paving to the back door.

The LHA notes that several of the shared private drives are also below the dimensions stated in Part 3, Paragraphs 3.196 and 3.197 of the LHDG, therefore these should be amended accordingly.

The LHA also advise that 1.0 x 1.0m pedestrian visibility splays should be provided where private drives and shared private drives meet a pedestrian footway.

### **Conditions**

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with The Greenfield Design drawing number TGDP/BLNV/CPL-1. 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).

2. 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 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).

3. 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).

4. 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).

5. 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).

### **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.
- 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](mailto: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).

### **Discharge of Conditions**

Whilst the LHA only advised condition 9 of the conditions which the Applicant has applied to discharge, the Construction Environmental Management Plan submitted to discharge condition 8 document also provides details relevant to the discharge of condition 9. For the avoidance of doubt, conditions 8 and 9 are reproduced below:

#### **Condition 8 (Construction Environmental Management Plan)**

*No development shall commence until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The Plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from air, dust, odour, noise, smoke, light and land contamination. The Plan shall detail how such controls will be monitored and a procedure for the investigation of complaints. The Plan shall detail how surface water drainage during construction will be managed. Site preparation and construction work shall be limited to between 0730 to 1800 Monday to Friday and 0800 to 1300 on Saturdays. There shall be no working on Sundays and Bank Holidays. The approved details shall then remain in force throughout the construction period.*

### **Condition 9 (Construction Traffic Management Plan)**

*No development shall commence until 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 Plan.*

#### **Highways Comments:**

After reviewing the submitted documents, the LHA is satisfied that there would be sufficient parking and turning provision available within the site for construction traffic, loading and unloading and that it is unlikely construction vehicles would be required to park or load/ unload within the highway.

The LHA is also satisfied that appropriate wheel washing measures are proposed for the preparation and duration of construction and if mud was deposited, road sweepers would also be employed, when necessary, throughout the duration of construction. The LHA advise that first and foremost however the Applicant should wash / clean vehicle wheels to avoid mud from being deposited in the highway to avoid the need for road sweepers.

The Applicant is proposing to use a designated temporary access for all construction traffic, shown on Persimmon drawing number NV\_ConMan\_001 Rev A. This would keep construction traffic separate from new residents and non-construction traffic on the new estate roads as they are built out. The access road would also be hard bound. The LHA advises it is unclear if this would be the existing farm access to the site, or a new access. It would be beneficial for the Applicant to clarify this. In addition, the Applicant should detail appropriate visibility splays. The LHA also note that the access would only allow for one way traffic, with a passing place located close to the access. It would be preferable for the Applicant to widen the access to allow for two way traffic or, alternatively, provide details on how conflict between construction vehicles would be avoided.

It is noted that the Applicant has proposed within both Persimmon drawing number NV\_ConMan\_001 Rev A and the Construction Environmental Management Plan that construction traffic would arrive and depart from the site to the south of Newbold Verdon to avoid travelling through the village. The LHA advise it would however be beneficial for the Applicant to provide the full route(s) which construction traffic would use to access the site from the point they leave the non-weight restricted road network.

Following further information on the temporary construction access and the routing of construction traffic, the LHA will give further consideration to the discharge of conditions 8 and 9.

**Date Received**  
17 September 2024

**Case Officer**  
Ben Dutton

**Reviewer**  
DH

**Date issued**  
30 September 2024