

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: 24/01055/FUL

Highway Reference Number: 2024/1055/04/H/R1

Application Address: Pear Tree Cottage Atherstone Road Ratcliffe Culey Atherstone Leicestershire CV9 3NX

Application Type: Full

Description of Application: Re-consultation. Detached garage and new vehicle access

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Mark Kendall

County Councillor: Bertie Harrison-Rushton

Parish: Witherley

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 116 of the National Planning Policy Framework (2024), 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 re-consulted on an application for a 'Detached garage and new vehicle access' at Pear Tree Cottage Atherstone Road Ratcliffe Culey Atherstone Leicestershire CV9 3NX.

The LHA previously requested the Applicant provide a speed survey and use this to demonstrate visibility in observations dated 20 December 2024.

The Applicant has subsequently submitted the following document via the Local Planning Authority (LPA) which have been reviewed:

- Speed Survey. Site Name – 880088027332. Dated 03/02/2025 to 10/02/2025.

Site Access

The LHA previously advised the applicant to undertake a speed survey to determine the recorded 85th percentile speeds and demonstrate appropriate vehicular visibility at the site access in accordance with the Leicestershire Highway Design Guide (LHDG) which is available at <https://www.leicestershirehighwaydesignguide.uk>.

The applicant has provided a speed survey that shows 85th percentile speeds of 40.8mph north eastbound and 39.2mph south westbound.

As to be in accordance with Table 6 of the LHDG, visibility splays of 65m should be provided in both directions at the access. Drawing number PT2/01/02 (Proposed Site Plans) demonstrates visibility in either direction of the site access as in excess of 100m. The LHA have reviewed our own records, alongside the submitted documents and are satisfied the visibility splays are contained within Highway land or the Applicant's boundaries.

Internal Layout

As per previous observations, the LHA is satisfied the proposed layout is suitable in providing appropriate parking and turning facilities.

For the reasons set out above, the LHA would not seek to resist the proposals subject to the following conditions.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 65 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 (2024).

2. 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 (2024).

3. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Proposed Parking drawing number PT2/01/03 . Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) 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 (2024).

4. The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular access on Atherstone Road that become redundant as a result of this proposal have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2024).

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 proposals show that the Applicant may need to remove a section of grassed highway verge in order to facilitate the access. Whilst this may be acceptable there may be statutory undertaker apparatus located within the verge/footway fronting the site; the Applicant will need to undertake surveys and potentially works to relocate these services. Any additional cost that arises as a result of this would be entirely at the Applicant's expense.

Date Received
13 February 2025

Case Officer
Amy Stone

Reviewer
BD

Date issued
25 February 2025