

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: 24/00442/CONDIT

Highway Reference Number: 2024/0442/04/H

Application Address: Pharmacy Heath Lane Surgery Westfield Avenue Earl Shilton Leicester Leicestershire LE9 7RT

Application Type: Variation of Condition (s73)

Description of Application: Application to vary conditions Condition 2 (Approved Plans), Condition 3 (Materials), Condition 4 (Drainage Details), Condition 5 (Construction Traffic Management Plan), Condition 6 (Access Arrangements), Condition 9 (Parking and Turning Facilities), Condition 12 (Landscaping), Condition 16 (Cycle Storage) 23/00119/FUL

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Mark Marsh

County Councillor: Richard Allen

Parish: Earl Shilton

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:

Objection

Objection to the Variation of Conditions 5

No objection

No objection to the Variation of Conditions 2, 4,

No comments

Conditions 3 and 12 were not advised by the Local Highway Authority (LHA) who therefore have no comments to make on these details.

Other response

Condition 16 was not advised by the LHA, however comments have been provided further below for information.

Advice to Local Planning Authority

Background

The LHA has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on the Variation of Conditions 2, 4, 5, 6 9 and 16 of application reference 23/00119/FUL.

The LHA has studied the following documents that have been submitted in support of the application:

- Covering Letter dated 29th April 2024
- M-EC drawing number 27695_02_060_01 Rev. B (Surface Finishes Layout)
- Construction Management Plan dated April 2024 and authored by Avant Homes
- Avant Homes drawing number 1221-23-270 (Compliance Plan)

Condition 2

For the avoidance of doubt, Condition 2 is reproduced below:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location plan - Drawing PL-01A
- Proposed Site Plan - Drawing PL-10A
- Proposed Compliance Plan - Drawing PL-11A
- Proposed Site Floor Plan - Drawing PL- 12A
- Proposed Site Block Plan - Drawing PL-13A
- Proposed Site Sections - Drawing PL-15A
- Plot 1 and 2 Elevations and Floor Plans - Drawing PL-20A
- Plot 3 Elevations and Floor Plans - Drawing PL-21A
- Plot 4 and 5 Elevations and Floor Plans - Drawing PL-22A
- Plots 6, 7, 8 and 9 Floor Plans - Drawing PL-23A
- Plots 6, 7, 8 and 9 Elevations - Drawing PL-24A
- Proposed cycle storage - Drawing PL-16

Highways Comments:

Due to the Applicant proposing to vary the proposed house types, a number of the above conditioned drawings require amendment. The LHA have no objection to the variation of house types or the amendment of the necessary drawings associated with Condition 2.

Condition 4

For the avoidance of doubt, Condition 4 is reproduced below:

The development hereby permitted shall be implemented in accordance with the approved drainage details listed below:

- External Works & Private Drainage Layout (MEC Consulting Development Engineers) - Drawing no. 27695_02_040_01 - Rev C
- External Works Construction Details - (MEC Consulting Development Engineers) - Drawing no. 27695_02_080_01 - Rev A
- Surface Finishes Layout (MEC Consulting Development Engineers) - Drawing no. 27695_02_060_01 - Rev A
- Private Drainage Construction Details (MEC Consulting Development Engineers) - Drawing no. 27695_02_080_03 - Rev A
- Attenuation and Flow Control Construction Details (MEC Consulting Development Engineers) - Drawing no. 27695_02_080_04

- Adoptable Drainage Construction Details (MEC Consulting Development Engineers) - Drawing no. 27695_02_080_02

Highways Comments:

The Applicant has provided amended drainage details to reflect the amended house types.

The LHA notes M-EC drawing number 27695_02_060_01 Rev. B details ACO linear drainage channels where the access road/ private drives meet the highway boundary. The LHA would therefore have no objection to this drawing being included in the variation of Condition 4.

Condition 5

For the avoidance of doubt, Condition 5 is reproduced below:

Construction of the development and routing of construction traffic shall be in accordance with the Construction Traffic Management Plan dated 9 May 2023.

Highways Comments:

The Applicant wishes to vary Condition 5 to a revised Construction Management Plan (CMP) which is to Avant Homes specification. The LHA currently objects to the variation of Condition 5 for the following reasons:

- The LHA has reviewed the submitted CMP and can advise that the construction traffic routing details within paragraph 9.2 appear to refer to a site located elsewhere in the country, this should therefore be updated to reflect the development site and the route.
- The previous CMP detailed that wheel washing facilities would be available on-site, however the proposed CMP details that road conditions will be monitored daily and proposed mitigation increased as required, this may include wheel washing or wheel shaker systems. The LHA advises that a wheel wash facility should be available on site at all times in the event that this is required.

Condition 6

For the avoidance of doubt, Condition 6 is reproduced below:

No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Lawrence Finley drawing number PL-11 Rev A (Proposed Compliance Plan) have been implemented in full.

Highways Comments:

The Applicant has advised the access arrangement remains unaffected; however, the Proposed Compliance Plan (Ref. PL-11A), to which this condition refers, requires amending to reflect the replacement house types.

The LHA have reviewed Avant Homes drawing number 1221-23-270 and note that the private driveways off Westfield Avenue have been amended, nevertheless the LHA has no objection to condition 5 being varied to include the revised drawing.

Condition 9

For the avoidance of doubt, Condition 9 is reproduced below:

The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Lawrence Finley drawing number PL-11 Rev A (Proposed Compliance Plan). Thereafter the onsite parking and turning provision shall be so maintained in perpetuity.

Highways Comments:

The Applicant has advised that the parking and turning facilities remain unaffected; however, the Proposed Compliance Plan (Ref. PL-11A), to which this condition refers, requires amending to reflect the replacement house types.

It is understood that the number of bedrooms per dwelling and the number of parking spaces per dwelling will not change in comparison to the approved proposals. The LHA have reviewed Avant Homes drawing number 1221-23-270 in respect of parking and turning provision and have no objection to condition 9 being varied to include the revised drawing.

Condition 16

For the avoidance of doubt, Condition 16 is reproduced below:

The development hereby permitted shall not be occupied until the scheme makes provision for the secure storage of cycles for each dwelling, in accordance with the submitted Proposed Compliance Plan (Drawing PL-11A) and Proposed Cycle Storage (Drawing PL-16) and is thereafter maintained in perpetuity.

Highways Comments:

Condition 16 is proposed for removal as the Applicant has stated cycle storage is to be integrated instead of provided through external purpose-built structures. Whilst Condition 16 was not advised by the LHA, the LHA would have no objection to the removal of Condition 16 as the LHA do not typically advise specific cycle parking conditions for residential developments of this scale.

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.
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Date Received
9 May 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
14 May 2024