

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: 23/01038/FUL

Highway Reference Number: 2023/1038/04/H

Application Address: 30 Pipe Lane Orton On The Hill Atherstone Leicestershire CV9 3NF

Application Type: Full

Description of Application:

Proposed replacement of dwelling and annex with associated landscaping

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr And Mrs Blackmore

County Councillor: Bertie Harrison-Rushton

Parish: Sheepy

Road Classification: PRoW - Footpath

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), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) is in receipt of a consultation for a full application for a proposed replacement of dwelling and annex with associated landscaping at 30 Pipe Lane Orton On The Hill Atherstone.

Site Access/Highway Safety

The site is accessed via a long drive located south east off of Pipe Lane to the South East of the village. The LHA are satisfied that the site access is sufficient as the proposal is a replacement dwelling for an access already used. The proposal does not indicate any intensification on the access road to site.

Highway Safety

Based on records available to the LHA, there have been no Personal Injury Collisions recorded along Pipe Lane within the last five years. The LHA therefore advise there are no pre-existing highway safety concerns in the vicinity of the site which could be exacerbated by the proposed development.

Internal Layout

The internal layout of the proposals are detailed on Format Architects drawing number A-L-110, dated October 2023. The Design and Access statement indicates that the proposed development would consist of four bedrooms. Based on Part 3, Para. 3.151 of the Leicestershire Highway Design Guide (available at <https://resources.leicestershire.gov.uk/lhdg>), the development would require three car parking spaces and there are six existing spaces. The application form indicates the applicant intends to keep all existing spaces. On this basis, the LHA consider it is unlikely the proposals would lead to an increase in on-street parking in the area. The LHA is satisfied that adequate turning provision is proposed in respect of all parking areas to enable vehicles to arrive and depart from the site in a forward gear.

Public Rights of Way

Public Footpath T1 runs along the private road to Moors Bans Farm or 510 metres before the route separates 184 metres before the application site. The applicant should undertake measures to ensure the safety of Public Right of Way users during construction works.

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 Format Architects drawing number A-L-110, dated October 2023. Thereafter the onsite parking and turning provision shall be kept available for such uses 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 (2023).

2. Prior to construction, measures should be taken to ensure that users of the Public Footpath T1 are not exposed to any elements of danger associated with construction works.

Reason: to ensure the Public Right of Way is safe and available during the period of construction in the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework 2023

Informatives

a) Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.

b) The Public Right 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 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
8 November 2023

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
17 November 2023