

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: 24/00294/REM

Highway Reference Number: 2024/0294/04/H

Application Address: Land North Barton Road Barlestone Leicestershire

Application Type: Reserved Matters

Description of Application: Approval of Reserved Matters (Appearance, Landscaping, Layout, Scale) of outline application (21/00096/OUT) for residential development of up to 55 dwellings (Outline- access only)

GENERAL DETAILS

Planning Case Officer: Hinckley and Bosworth Borough Council

Applicant: Mr Liam Edwards

County Councillor: Bertie Harrison-Rushton

Parish: Osbaston

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 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 reserved matters application (appearance, landscaping, layout, scale) of outline application 21/00096/OUT for a residential development of up to 55 dwellings. The site is located at land north of Barton Road, Barlestone.

Internal Layout

Details of the internal layout of the site are provided on Anotherkind drawing number 22025-70-001 Rev. P17. The Applicant has indicated that they wish for the main internal development road to be put forward for adoption.

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 the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

After reviewing the drawing, the LHA advises that the internal road is currently not suitable for adoption and the amendments below are required at the application stage. 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.

- Extra speed control measures will need to be designed into the road layout. In this instance, the maximum distance between speed control measures, junctions or 90-degree bends is either 60m or 40m depending on the design speed of the road. Further information can be found in Part 3, Section DG4, Table DG8 of the LHDG.
- The turning head from plots o/s plot 22 is unnecessarily large, serves no highway purpose, and does not need to be extended beyond the radii. The Applicant should shorten the turning head to just beyond the radii and extend the private drive to suit. Further information is available at Part 3, Figure DG4b of the LHDG.
- Swept path analysis of a refuse collection vehicle travelling through the site and turning at turning heads should be provided. This should be to H&BBC dimensions (Phoenix 2 Series - Smooth Body RCV, EURO 5i - WIDE TRACK refuse collection vehicle).

Additional Points

- Any isolated and/or interconnecting footpaths would not typically be considered for adoption. If they were to be offered for adoption, they may incur an additional commuted sum.
- Trees and additional paved areas will attract commuted sums.
- Green service margins - The highway authority, will only adopt grassed areas, that are not in isolation, and measure more than 10 square meters.
- The highway authority do not adopted open public spaces or embankments unless they support the carriageway/ footway.
- The tree species will need to be agreed, to ensure a clear stem height, as to not impede on highway users' visibility. This will be checked further and approved at the S38 stage.
- Consideration of root barrier/deflection treatment will be required when proposing trees/shrubs adjacent to the footway. This will be checked further and approved at the S38 stage.
- The trees, verges and landscaping would be considered to be outside of the adoption extent.
- It is noted that the carry distance for some householders on private drives (e.g. Plot 14/15 on unadopted private drive Drive) exceeds the ideal maximum of 30m by quite some distance (The Building Regulations 2010, Drainage and Waste disposal Approved Document H, Para 1.8, Page 54).

- Gradients should conform to the standards set out in Part 3, Table DG1: General geometry of residential road (internal) of the LHDG.
- All drainage should be in accordance with Part 3, DG11 of the LHDG. It must be ensured that surface water from private land does not run or pool in the public highway.
- At this stage it is not possible to comment on the vertical alignment, drainage, materials or proposed construction details.

Parking Provision

The LHA can provide the following advice in respect of parking provision within the site.

- Whilst the number of parking spaces for plots with up to three bedrooms is considered acceptable, the LHA would usually require three parking spaces for the four bed dwellings. Therefore an additional parking space is required for each four bed dwelling.
- The LHA is satisfied all spaces measure a minimum of 2.4m wide and 5.5m long with an additional 0.5m strip on either side bound by a wall, hedge, fence etc as per Part 3, Para. 3.165 of the LHDG.
- Parking provision for Plot 4 is located on the junction radii and is therefore not acceptable, it is also unclear whether it is the Applicants intention to enable drivers to parallel park in the spaces using the footpath alongside. Again this is considered unacceptable and the Applicant is required to redesign parking provision for this plot.
- Turning provision should be considered at the end of the two unadopted private drives to the north of the main development road. Currently it is considered supermarket delivery vehicles and vans may be unable to turn around and could need to reverse over long distances.
- 1x1m pedestrian visibility splays are required where private drives or shared private drives meet the 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 Anotherkind drawing number 22025-70-001 Rev. P17. 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 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).

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. 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).

Date Received
4 April 2024

Case Officer
Ben Dutton

Reviewer
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Date issued
08 April 2024