

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: 23/01176/FUL

Highway Reference Number: 2023/1176/04/H

Application Address: Water Tower Roe House Lane Norton Juxta Twycross Leicestershire

Application Type: Full

Description of Application:

Conversion of existing water tower to residential dwelling with associated parking, landscaping, access improvement and other works

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: Mr M Patel

County Councillor: Bertie Harrison-Rushton

Parish: Twycross

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) are in receipt of a full application for the conversion of an existing water tower to residential dwelling with associated parking, landscaping, access improvements and other works at Roe House Lane, Norton Juxta, Twycross.

The LHA acknowledges the relevant planning history at the site which is noted below:

- 2023/0881/04/P/HEN - pre-application enquiry seeking advice on a proposed change of use from a water tower currently used for telecommunications purposes to form a single six bedroom dwelling

Site Access

The proposed development is located on Roe House Lane which is accessed via either Austrey Road/ Appleby Hill or via the A444- Atherstone Road. Roe House Lane forms part of Public Right of Way (PRoW) Q4a which runs adjacent to the proposed development.

The Applicant has advised as part of the proposal a willingness to add two passing points and re-surface the section of Roe House Lane from the junction of Austrey Road/ Appleby Hill to the proposed development. This section is both (in parts) a restricted byway and a BOTAT.

The LHA note the applicants willingness to resurface the top section of the existing access road with a suitable material. The LHA would accept a hardbound material such as tarmac for the resurfacing of the access road.

Any work on the lane's surface requires the LHA's agreement in terms of the construction specification. In addition, during construction work any limits on public use of the lane requires a Temporary Traffic Regulation Order for which an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the restriction is required.

The LHA advise that as to accord with Part 3, Paragraph 3.192 of the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>) the proposed access should have a minimum width of 2.75 metres with 0.5 metres added to either side of the access if it is bounded by a wall, fence, hedge, line of trees or other similar obstruction. The site is served by an existing access drive approximately 6 metres in width, therefore the LHA are satisfied the width of the existing access is sufficient.

The LHA note the applicant has displayed vehicular visibility splays measuring 2.4m x 43m in both directions from the existing access which is in accordance with Table DG4, Part 3 of the LHDG. The applicant has not demonstrated pedestrian visibility splays at the existing access. 2.0 x 2.0 metre by 2.0 x 2.0 metre pedestrian visibility splays need to be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway, as per Part 3, Figure DG17 of the LHDG.

However, the LHA are satisfied that sufficient pedestrian visibility can be achieved and the existing access is safe and suitable for the proposed development.

Internal Layout

The internal layout of the proposals are detailed on Code 6 Developments Ltd drawing number 1301-02, which indicates the proposed development would consist of six bedrooms. The submitted application form indicates the replacement dwelling would be served by four parking spaces.

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 Right of Way

As previously relayed to the applicant in the LHA's previous response on 31/03/23 to Highway Reference No: 2023/0881/04/PHE, Public Right of Way Q4a runs beside the site.

There was a question about private access rights to the site from the adopted road Austrey Lane/Appleby Hill as that section of Roe House Lane is recorded on the Definitive Map as Restricted Byway Q4a, where public rights do not include motorised vehicles. The Planning, Design & Access Statement with this application refers to title LT302429.the HMLR register entry for which confirms private vehicular rights along this section of Roe House Lane. The LHA's comments regarding the resurfacing of the route have been recorded above.

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 Code 6 Developments Ltd drawing number 1301-02. 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 (December 2023).

2. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian 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 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 (December 2023)

4. The development hereby permitted shall not be occupied until such time as the top section of the existing access road towards the development has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) 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).

Date Received
18 December 2023

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
11 January 2024