

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: 24/00854/REM

Highway Reference Number: 2024/0854/04/H/R1

Application Address: Land East of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire

Application Type: Reserved Matters

Description of Application: Re-consultation. Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 22/00277/OUT for 239 dwellings with associated internal road layout, car parking, drainage, and landscaping.

GENERAL DETAILS

Planning Case Officer: Hinckley and Bosworth Borough Council

Applicant: Ms Esther Wiles

County Councillor: Ross Hills

Parish: Newbold Verdon

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 by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a Reserved Matters application (appearance, landscaping, layout, scale) of outline application 22/00277/OUT for a residential development of up to 239 dwellings. The site is located at land east of the Windmill Inn. Brascote Lane, Newbold Verdon.

The LHA has reviewed the following documents submitted by the Applicant in support of the proposals:

- Travis Baker drawing number 015 Rev. D (General Arrangement);
- Travis Baker drawing number 016 Rev. C (Refuse Vehicle Tracking); and

- The Greenfield Design Partnership drawing number TGDP/BLNV/MP-1 (Masterplan).

The LHA previously advised within the observations dated 30th November 2024 that whilst it had no objection to the proposals, amendments would be required to the internal road layout at this application stage should the applicant wish for the internal roads to be adopted by Leicestershire County Council.

Previously, the LHA were also consulted on the discharge of Conditions 8 and 9 as part of this same application, however it is noted that while the LHA previously objected to the discharge of both conditions, no additional information has been submitted by the applicant and the description of the application has been amended to omit the discharge of conditions.

Internal Layout

Details of the internal layout of the site are provided on Travis Baker drawing number 015 Rev. D. The Applicant has indicated that they wish for the main internal development road to be put forward for adoption.

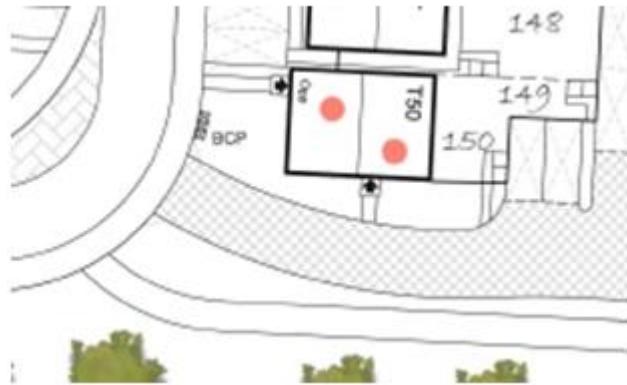
As advised previously, the acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

The LHA advise that currently the proposals would still not be suitable for adoption and that the following amendments would be required at this stage prior to the application being determined:

- It is noted some of the proposed side roads have a proposed width of 5.5m, which is inappropriate for their use, the Applicant should amend these to detail a width of 4.8m.
- Whilst the LHA required the access road into the development to have a width of 6.75m it is inappropriate for this road width to be extended into the site for the distance it is currently proposed. The Applicant should amend the road width to detail the width reducing to 5.5m from the end of the raised table at plots 205 and 43.

The carriageway width should comply with the design requirements as detailed in Part 3, Table DG1 of the LHDG for a road serving 50 to 400 dwellings.

- The Applicant should amend the layout plan to design speed control into the layout to maintain a 20mph design speed. Further information on speed control can be found in Part 3 of the LHDG.
- The Applicant should clearly identify access roads, access ways and any shared surfaces to be installed on site.
- The Applicant is required to remove the junction stub fronting plots 222-221 and extend the private drive to mirror the one serving plots 150 to 153 shown below.



- The design plan details that the roads shown below fail to serve the required number of direct frontage access points (minimum six or more) as detailed in Part 3 of the LHDG. It should be noted even if the road provides access to private drives this does not count as direct frontage access.

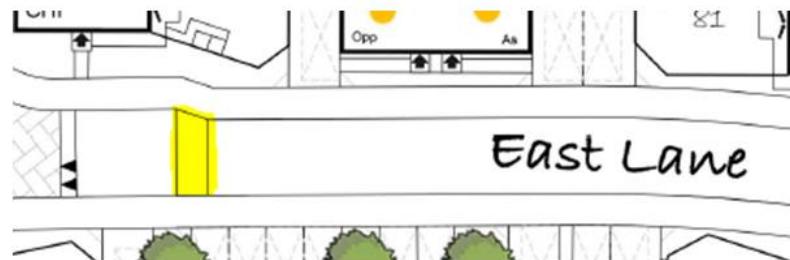




- It is noted the Applicant may look to use road STR14 to extend the development in the future, the developer will need to note that LCC will not adopt this road as it fails to serve the required number of direct frontage access points.

If this road is extended in the future to deliver the required number of direct frontages, the developer will need to put it forward for adoption at that point in time.

- The design plan details a junction speed table is to be located very close to the ramp to access East Lane, the Applicant should therefore remove the ramp shown below.



- The ramp shown outside Plot 126 shown below should also be removed as this is not required.



- The junction radii are detailed as 7.5m which fails to comply with the LHDG. Please amend the junction radii to detail 6m radii at junction. Further information relating to junction radii can be found in part 3 of the (LDG), table DG5.
- Records show there is a water course running through the development site. The Applicant should make contact with the Lead Local Flooding Authority at Flooding@leics.gov.uk , if the proposed works affect the existing water course.
- If the developer is required to culvert a water course under the proposed public highway, a 3m easement will be required to be provided at each end and either side of this feature.
- It should be noted gradients should conform to the standards set out in Table DG1: General geometry of residential roads (internal) in the LHDG.

Parking Provision and Shared Private Drives

The LHA previously advised the number of parking spaces provided per plot and the dimensions of these were acceptable. Garages, where provided, were also considered in accordance with LHDG guidance.

A few of plots, particularly corner plots, have private parking bays located remotely from the front door access points. The Applicant has however provided now gates between the driveways/garages into the rear gardens of the plots along with paving to the back door.

As advised previously, the LHA notes that several of the shared private drives are also below the dimensions stated in Part 3, Paragraphs 3.196 and 3.197 of the LHDG, therefore these should be amended accordingly.

The LHA also advise that 1.0 x 1.0m pedestrian visibility splays will be required were private drives and shared private drives meet a pedestrian 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 Travis Baker drawing number 015 Rev. D. 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 (2024).

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 and dropped kerbs that serves those dwellings has been provided in accordance Travis Baker drawing number 015 Rev. D. 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 (2024).

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 (2024).

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 (2024).

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 reenacting 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 (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 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
5 December 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
20 December 2024