

Substantive response of the Local Highway Authority (LHA) to a planning application consultation received from the Local Planning Authority (LPA).



Local Planning Authority: Head of Development Services
High Peak Borough Council
Town Hall, Market Place
BUXTON
Derbyshire
SK17 6EL

Application Details

Application Ref : HPK/2022/0477

Proposal : Proposed single storey rear, double storey side and front adaptations/extensions and widened driveway with dropped kerb

Site : 180, Simmondley Lane, Simmondley, Glossop, Derbyshire, SK13 6LY

General Details

Planning Case Officer : Tom Hiles
Applicant : Mr David Bourne

Substantive response provided in accordance with article 22(5) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

Advice to LPA

The proposal appears similar in principle as a previous application at the same site, HPK/2022/0214, which received no objections from the Highway Authority and was approved by your own Authority. Therefore, there are no objections to this current proposal in principle.

Whilst the modified access is restrictive in terms of emerging visibility to the North on Simmondley Lane, it is considered that the access would operate similarly as existing.

The modified driveway/access appears to result in the fronting dropped kerb being made partially redundant to the South of the modified driveway, therefore, any length of existing dropped kerb which will be made redundant by the proposal should be raised to the appropriate level including the associated footway.

It is unclear if the proposed garage will be for the parking of vehicles (noted as garage/gym/studio), however, it is considered the modified driveway could accommodate sufficient levels of off-street parking to serve a 5no bedroom dwelling.

The Highway Authority has no objections to the proposal, and it is recommended that the following conditions are included in any consent:

Recommended conditions

1. The existing vehicular access off Simmondley Lane shall be modified in accordance with the application drawings, laid out, constructed and maintained in perpetuity free from any impediment to its designated use.
2. The modified area of hardstanding within the curtilage of the application site as shown on the submitted plans shall be used for the parking of vehicles clear of the highway and shall be maintained free of any impediment to its designated use.
3. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
4. Any length of vehicular access made redundant by the proposal shall be reinstated as footway in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

In addition to the above conditions the following notes should be appended to any consent for the applicant's information:

informatives

a. Planning permission does not give you approval to work on the public highway. To carry works associated with this planning permission, separate approval must first be obtained from Derbyshire County Council as Highway Authority - this will take the form of a section 184 licence (Highways Act 1980). It is strongly recommended that you make contact with the County Council at the earliest opportunity to allow time for the process to be completed. Information and relevant application forms, regarding the undertaking of access works within highway limits, are available via the County Council's website www.derbyshire.gov.uk, email highways.hub@derbyshire.gov.uk or telephone 01629 533190.

b. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

c. Where the site curtilage slopes down towards the public highway provisions within Section 163 of the Highways Act 1980 requires measures to be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dished channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

d. The Highway Authority recommends that the first 5m of the modified access / driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the landowner.

e. Pursuant to Section 127 of the Highways Act 1980, no work may commence within the limits of the public highway to close any redundant accesses and to reinstate the footway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 127 Agreements may be obtained by contacting this Authority via email – highways.hub@derbyshire.gov.uk The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 127 Agreement.

LHA Details

Received Date	Case Officer	Reviewer	Date Issued
8 November 2022	Jamie Bradbury	Jamie Bradbury	8 November 2022