

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/2022/0482

Proposal : Outline Planning Permission with some matters reserved, appearance, landscaping, layout and scale for a proposed single detached dwelling

Site : Land Adjacent 149, High Hill Road, New Mills, Derbyshire,

General Details

Planning Case Officer : James Stannard
Applicant :

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

Advice to LPA

You will be aware of the Highway Authority's previous consultation response raised a number of issues in connection with Highway Maintainable at Public Expense (HM@PE) which runs along the frontage of the site and the internal turning/parking layout and in the intervening period a number of discussions have taken place to try and resolve the highway issues, so from a highways aspect the submitted drawings are considered acceptable in principle although it should be noted that in order to implement the scheme a separate construction approval process with the Highway Authority will need to be progressed – this scrutinises construction details and will be necessary in order for the Highway Authority to enter into a Section 184/278 Agreement for any works (access and proposed widening of the footway).

Therefore, it is recommended that the following Conditions/Notes are included in any consent.

Conditions:

1. No development shall start until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The statement / plan shall include details specifically relating to:
 - parking for vehicles of site personnel, operatives and visitors
 - site accommodation
 - storage of plant and materials
 - provision of roadside boundary hoarding behind any visibility zones
 - any proposed temporary traffic management.
- Only the approved details shall be implemented, which shall be maintained throughout the construction period.

Reason: To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about unacceptable impacts / inconvenience for existing highway users / nearby residents.

2. No development, including preparatory works, shall commence until the new vehicular access to High Hill Road has been constructed. The junction shall be laid out in accordance with the approved plan(s), constructed to base level, drained and visibility sightlines of 43m measured in each direction to the nearside edge of the carriageway, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

3. Prior to the first occupation of each dwelling, space shall be provided for the parking of vehicles associated with that dwelling in accordance with the approved plan(s) and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) or any statutory instrument amending, revoking and/or replacing that Order, such space shall be maintained throughout the life of the development free of any impediment to its designated use.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway(s) and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) or any statutory instrument amending, revoking and/or replacing that Order, the [[*garage(s)/parking space(s)*]] to be provided in connection with the development shall not be used other than for the parking of vehicles except with the prior grant of planning permission pursuant to an application made to the Local Planning Authority in that regard.

Reason: To ensure adequate parking and turning provision, in the interests of highway safety.

5. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order or any Order revoking, amending or re-enacting that Order no gates / bollards / chains / other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Notes:

- Under provisions within Sections 149 and 151 of the Highways Act 1980, the developer must take all necessary action 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 developer'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.
- 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.
- 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 184/278 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.
- The Highway Authority recommends that the first 5m of the proposed 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 householder.
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LHA Details

Date Received	Case Officer	Reviewer	Date Issued
22 November 2022	Glen Donaldson	Glen Donaldson	31 March 2023