

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/2024/0102

Proposal : Application for full planning for the construction of a new 3 storey, 4 bedroom detached dwelling with associated landscaping and car parking on the land rear of 44/46 Town Lane, Charlesworth, fronting access from Chapel Brow.

Site : LAND REAR OF 44 TO 46,
Town Lane,
Charlesworth,
Derbyshire,

General Details

Planning Case Officer : James Stannard
Applicant : Miss Francesca Duffy

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 application proposes a new detached four bedroom dwelling with two on site parking spaces within a detached garage. The dimensions of the garage(s) are well below the recommended minimum internal dimensions of 6m x 3m per garage; the submitted plans indicate the garages to be some 5m in length. Therefore, the garages are not considered to be suitable parking spaces and as such the proposed dwelling has been assessed as having only one viable parking space within the area denoted as 'turn table'. The provision of only one parking space for a four bedroom dwelling is below the recommended parking provision of 2/3 spaces. Considering the relatively remote location of the application site and the likely reliance on private motor vehicles

to access employment and amenities, it is considered likely that future occupants of the proposed dwelling will have more than one vehicle. This then would mean that the likely additional private vehicles associated with the dwelling would be parked on the roadside, presumably in the vicinity of the application site. Chapel Brow is restricted in its width and parked vehicles are likely to obstruct other passing vehicles; however, all vehicle owners are responsible for parking vehicles where it is safe and does not cause an obstruction to other highway users. The Police have the sole power to take action should obstructions occur or where vehicles are considered to be parked unsafely.

The lack of viable on site parking for the proposed dwelling and the likely consequential additional roadside parking is clearly not ideal; however, considering the potentially low number of associated vehicles parked on the roadside and the low flows and vehicle speeds expected on roads in the vicinity of the application site, should future occupiers be reliant on the public highway for parking this would be more of an inconvenience and not an unacceptable highway safety issue which would warrant an objection on highway safety grounds.

The application also proposes a new site access off Chapel Brow. The proposed access is the same as that proposed in a previous application (HPK/2022/0536) which was considered to be suitable.

It is noted that the application proposes a 'turntable' within the application site to allow a vehicle(s) to manoeuvre and exit the site in a forward gear. The use of turntables in lieu of a 'turning head' can be problematic if the turntable mechanism fails or if the user chooses not to use the turntable. However, the internal access to the proposed dwelling does allow for a vehicle to reverse on to the shared access road and enter the public highway in a forward gear. Therefore, in this instance, the provision of a turntable is considered to be acceptable.

It is also noted that the application includes no details of bin storage or cycle storage. The provision of both would be beneficial to assist in preventing bins being stored on the public highway and to encourage cycle use by occupiers of the dwelling.

Whilst there are some concerns relating to the parking provision associated with the proposed dwelling, as explained in the aforementioned comments, these are not considered to warrant an objection on highway safety grounds and as such there are no highway authority objections to the application subject to the following conditions being included in any consent granted:

A new vehicular access shall be formed to Chapel Brow in accordance with the application drawings, laid out, constructed and provided with visibility splays of 2.4m x 25m in the Northwesterly direction and 2.4m x 32m in the East / Southeasterly direction, measured to a point 1m into the carriageway. The area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason: In the interests of highway safety.

The development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on submitted drawings.

Reason: To ensure conformity with submitted details.

There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

Reason: In the interests of highway safety

Please also attach the following advisory notes to any consent granted for the information of the applicant:

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.

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.

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.

LHA Details

Date Received	Case Officer	Reviewer	Date Issued
21 March 2024	Adrian Martin	Adrian Martin	8 April 2024