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

DERBYSHIRE County Council

Local Planning Authority: **Planning Manager**
Amber Valley Borough Council
PO Box 15, Town Hall, Market Place
RIPLEY
Derbyshire
DE5 3XE

Application Details

Application Ref : AVA/2023/0232

Proposal : Outline Planning permission for 27 dwellings which would comprise of 2 bed semi-detached x 12 units, 3 bed semi-detached x 8 units, 3 bed detached x 1 unit, 4 bed detached x 6 units, with Appearance, Landscaping and Scale reserved for subsequent approval.

Site : Land North Of
Goodwins Lane
Hazelwood
Belper
Derbyshire

General Details

Planning Case Officer : Emma Burrow

Applicant : Mr Malcolm Sutton

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

Advice to LPA

In terms of traffic impact, the proposal will have a negligible effect on the surrounding highway network during busy development periods. Such traffic movements are likely to be minimal and it is considered the proposal is not anticipated to adversely affect the operation of the surrounding highway network.

Consequently, there are no objections to the proposed development from a traffic and highway point of view subject to the following conditions and informative: -

Conditions:

1 (i). Except for site clearance and remediation, no development shall commence until a detailed scheme of highway improvement works for the provision of a footway on Goodwin's Lane from the proposed site access to the existing bus stop and shelter together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

(ii). No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this condition.

Reason: In the interests of highway safety; to ensure satisfactory highway infrastructure provision and to safeguard the users of the highway.

2. Before any other operations are commenced, a new estate street junction shall be formed to Goodwin's Lane in accordance with the application drawing ref: RHC-22-147-01, laid out, constructed to base level and provided with visibility splays of 2.4m x 71m to the west and 2.4m x 126m to the east. The area within the visibility splay envelope being levelled and no more than 600mm in height.
Reason: In the interests of highway safety.

3. (i) Except for site clearance and remediation, no development shall commence until full engineering, drainage, street lighting and construction details of the roads proposed for adoption have been submitted to and approved in writing by the Council as local planning authority.

(ii) The approved scheme shall be completed in accordance with the approved details before the development is occupied/brought into use.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highway infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

4. Except for site clearance and remediation, no development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure satisfactory construction and appearance to the highway infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

5. (a) No works shall take place, including any demolition, site clearance or ground works, until a Construction Method Statement comprehensively detailing the phasing and logistics of

construction has been submitted to and approved in writing by the local planning authority.

The method statement shall include, but not be limited to:

(i) Construction traffic routes, including provision for access to the site
(ii) Entrance/exit from the site for visitors/contractors/deliveries
(iii) Location of directional signage within the site
(iv) Siting of temporary containers
(v) Parking for contractors, site operatives and visitors
(vi) Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
(vii) Temporary roads/areas of hard standing
(viii) Schedule for large vehicles delivering/exporting materials to and from site
(ix) Storage of materials and large/heavy vehicles/machinery on site
(x) Measures to control noise and dust
(xi) Details of street sweeping/street cleansing/wheelwash facilities
(xii) Details for the recycling/disposing of waste resulting from demolition and construction works
(xiii) Hours of working
(xiv) Phasing of works including start/finish dates

(b) The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: These details are needed **prior to the commencement of development** in order to ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, maneuvering, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers during construction.

6. No development shall take place until details of satisfactory wheel cleaning facilities to be provided during site demolition, excavation, preparation and construction have been submitted to, and approved in writing by, the Local Planning Authority. The approved wheel cleaning facilities shall be of a powered drive through, or self-powered compact spinners type installed and operational during ground works and shall be retained in working order throughout all phases of development. All vehicles leaving the site shall use the wheel cleaning facilities.

Reason: In order to minimize the amount of mud, soil and other materials originating from the site being deposited on the highway, in the interests of highway safety and visual amenity.

Informative:

1. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway 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.

2. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Development Control Implementation Team at County Hall, Matlock (Tel: 01629 533190) or email development.implementation@derbyshire.gov.uk The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

3. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Development Control Implementation Team - Place at County Hall, Matlock (Tel: 01629 533190) or
email development.implementation@derbyshire.gov.uk

4. 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.

5. The applicant should note that planning permission does not constitute permission under the Highways Act for various activities that may be associated with the development i.e. use of the highway/footway/verge to: for example; deposit material, deposit skips, erect scaffolding, excavate within the highway or erect traffic management apparatus. Such activities will require the separate consent of the Highway Authority.

LHA Details

Date Received	Case Officer	Reviewer	Date Issued
29 March 2023	Jeff Hernandez	Jeff Hernandez	21 April 2023