



Economy, Transport and Environment Department

**Consultation with Hampshire County Council as the Local Highway
Authority**

Notification to local planning authorities

Adopted April 2017

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Revision History

This document has the following history:

Version No.	Version Date	Summary of Changes	Changes
1.0	03/04/2017	First Publication	
1.1	04/05/2017	Minor amendments	3.6 and Appendix A section 5&6

Approvals

This document requires the following approvals:

Version No.	Name	Title
1.1	Keith Willcox	Director, Economy Transport and Environment

1. Introduction

- 1.1. This document sets out the way that Hampshire County Council, as the local highway authority (LHA), provides consultation responses on planning applications. The purpose of the document is to provide clarity to the planning authority on when and how to consult the LHA on planning applications which have an impact on the operation of the public highway (the highway). The primary focus of the LHA will be on applications that have a material impact on the safe and efficient operation of the highway and securing appropriate mitigation.
- 1.2. The LHA provides advice either directly or, where an agreement is in place with a local planning authority, through agents who perform the LHA function on selected applications. Reference to the LHA therefore applies either to the County Council or its agents depending on local arrangements.
- 1.3. The consultation process for planning applications is governed by the Town and Country Planning (Development Management Procedure) Order (TCPO) 2015 ('the Order'). The LHA has reviewed its current practices and is setting out a revised approach to providing highway advice to local planning authorities. The revised approach will reflect the requirements of the Order, and will continue to focus on the safe and efficient operation of the highway network.
- 1.4. The level of advice provided by the LHA when consulted on planning applications will vary depending on the scale, location and nature of the proposals. This document will therefore set out the criteria that the local planning authority can apply when considering whether and how to consult with the LHA.

2. Statutory Requirements

- 2.1. Local planning authorities must consult Hampshire County Council as LHA by using the criteria set out in the Order where development:-
 - Is likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway;
 - Is likely to prejudice the improvement or construction of a classified road or proposed highway;
 - Involves the formation, laying out or alteration of any means of access to a highway;
 - Involves the constructions of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force;
 - Includes the laying out or construction of a new street
(*Schedule 4 of the Order*)

- 2.2. The Order also sets out in Section 18 (1) (C) that the local planning authority is not required to consult with an authority where that authority has advised that they do not wish to be consulted. Section 18 (1) (D) sets out that where development is the subject to standing advice, consultation with that authority is not required either.

3. Notification – consultation with the LHA

- 3.1. From 3rd April 2017, Hampshire County Council in its role as the LHA, notifies local planning authorities that they should adopt the following approach when considering whether to consult the LHA on planning applications:

Applications of less than one dwelling

- 3.2. For residential development that does not result in the creation of any additional new units (informally known as ‘householder applications’, i.e. an extension to an existing property), and does not involve the creation of a new or amended point of access, the LHA does not wish to be consulted (under S18 (1) (C) of the Order). This is because this scale of development is not likely to trigger any of the criteria set out in Schedule 4 of the Order. Where a new point of access is created or an existing one amended, the local planning authority should consult the LHA on this aspect of the application.
- 3.3. The LHA can be approached for informal advice on these types of application where there is a specific demonstrable road safety issue arising from or worsened by the proposed development.

Applications of 1 to 5 new dwellings

- 3.4. For residential development creating from 1 to 5 new dwellings, the LHA only wishes to be directly consulted where the development proposals will be accessed directly from an A, B, or C classification of road.
- 3.5. For any other residential development of this scale, the LHA’s ‘standing advice’ applies (S 18 (1) (d) of the Order). For the avoidance of doubt, this will apply to residential development of 1 to 5 new dwellings, where the site is accessed from an unclassified road. The LHA’s standing advice is included in Appendix A of this document.
- 3.6. For applications for which the standing advice applies, where a new point of access is created or an existing one amended, the local planning authority shall consult the LHA on this specific aspect of the application.
- 3.7. It is not considered that development of up to 5 dwellings in size will result in the laying down of a new street as set out in Schedule 4 and therefore the LHA does not wish to be consulted on the internal layout of development of

this scale. The LHA will not specifically comment on the adequacy of turning provision within a site but will recommend that a suitably worded condition is provided to ensure, where appropriate, vehicles can enter and leave the site in a forward gear. This will be set out within the standing advice for the use of local planning authorities.

- 3.8. The LHA can be approached for informal advice on this type of application where there is a specific demonstrable road safety issue arising from or worsened by the proposed development.

Applications of greater than 5 dwellings and all non-residential development

- 3.9. The LHA should be directly consulted for all residential applications of greater than 5 dwellings and for all forms of non-residential development.

Summary Table – Guide to consulting the LHA on planning applications

Scale of development proposals	No consultation with LHA required	Consultation with LHA on Access Only	Standing Advice applies	Consult with LHA
Less than 1 dwelling (Householder) No new or altered vehicle access	✓			
Less than 1 dwelling (Householder) with a new/altered vehicle access		✓		
1-5 dwellings accessed from a Classified (A, B or C) road				✓
1 -5 dwellings accessed from an unclassified road with no new or altered vehicle access.			✓	
1 -5 dwellings accessed from an unclassified road with a new or altered vehicle access.		✓	✓	
Applications for greater than 5 dwellings and non-residential uses.				✓

- 3.10. In adopting this approach to responding to planning applications, Hampshire County Council considers it is able to target its resources in the most efficient way and thereby enable it to provide effective support to the planning and development process.

4. Validation requirements

4.1. The requirements that planning authorities have in place for the validation of planning applications already includes relevant highway information for most applications. However, in order to support the planning authority, particularly when using standing advice, the LHA would recommend that the following information is provided to support applications:

- Achievable site access visibility (if new or modified access proposed)
- Classification of the road where site access is taken from
- Existing and proposed site layout showing boundary treatments and internal road/parking layout (including tracking of turning areas)
- Highway Boundary

4.2. This list is not intended to replace the existing requirements for larger scale forms of developments where a Transport Assessment or a Travel Plan may be required.

5. Contacting the LHA

5.1. The LHA can be contacted for further clarification on these requirements prior to consultation requests being made. The LHA will not respond to any application where it considers that a response is not required in accordance with this notification, or that the response can be provided directly through the use of standing advice.

Appendix A – Standing Advice

1. Overview

- 1.1. In accordance with Section 18 (1) (d) of the Order, Hampshire Council Council has determined that it will discharge its consultee responsibilities as the LHA through the provision of Standing Advice for the following scale of development:
 - Residential development of 1 to 5 new dwellings, served by an access onto an unclassified road.
- 1.2. If the local planning authority is satisfied that the application is in accordance with the Standing Advice, then it can conclude that there are no highway reasons to refuse the application.

2. Scope of Standing Advice

- 2.1. The information contained within the Standing Advice represents the extent of the formal advice that the LHA will provide on these applications.
- 2.2. If the proposals include measures to alter an existing access or provide a new access onto an unclassified road, then the local planning authority shall consult the LHA on this specific element of the application. For all other considerations, the local planning authority should refer to this Standing Advice.

3. Standing Advice

- 3.1. The Standing Advice is provided to assist local planning authorities in determining matters that may have an impact on the safe and efficient operation of the highway.

It is therefore recommended that the following advice is applied where relevant:

Requirement for vehicles to enter and leave the highway in a forward gear.

- 3.2. The LHA requires that any development of 2 – 5 dwellings using a shared vehicular access from the highway is able to facilitate vehicles entering and exiting from the development onto the highway in a forward gear.
- 3.3. Where more than one property is accessed from a single access on the highway the following condition should be placed on the permission:

Prior to occupation the area shown on the approved plan for the parking and turning of vehicles shall be provided and reserved for these purposes at all times.

Reason: To ensure that vehicles parked on the site are able to enter and leave in forward gear

- 3.4. The LHA has set out some additional information on turning areas to assist the local planning authority in determining whether the proposals comply with this planning condition. Further details are set out in the following section.
- 3.5. Please note that the LHA advice is that there is no requirement for vehicles to access and leave the highway in a forward gear where a vehicular access point serves a single dwelling.

Development proposals should provide connection to any existing footway/cycleway along the site frontage.

- 3.6. The internal layout of the development should link pedestrian/cycle access to the existing pedestrian and cycle facilities across the immediate frontage of the site. This can be along a shared driveway or frontage or through a path within the development.

Requirements for the provision of any gated access points for vehicles

- 3.7. If gates are to be fitted across the vehicle access then these must open away from the highway (inwards). To ensure that there is sufficient space for a vehicle to exit the highway gates must be set back 6m from the edge of the carriageway.

If gates are proposed the following condition should be placed on the permission:

Any gates provided shall be set back a distance of 6m from the edge of the carriageway of the adjoining highway.

Reason - In the interests of highway safety.

4. Additional Guidance Notes

Turning provision

- 4.1. The LHA requires that where more than one dwelling is served by a single point of access, then provision should be made within the site boundary for turning provision so that vehicles can enter and leave the highway in a

forward gear. This should include consideration of small delivery vehicles where it is necessary for this type of vehicle to enter the development.

- 4.2. For single residential developments, turning areas will not be required unless it is considered by the local planning authority to be necessary for the internal operation of the development (e.g. a resident would be required to reverse down a driveway for a considerable distance).
- 4.3. A tracking drawing can be requested of the applicant to demonstrate that the layout can accommodate the turning manoeuvres.

Example Turning Areas

- 4.4. The following diagrams demonstrate typical turning area layouts. Diagrams 1 – 4 demonstrate suitable turning areas for cars and diagram 5 and 6 show typical turning areas for refuse vehicles.

Diagram 1 – Option 1 Turning areas for cars

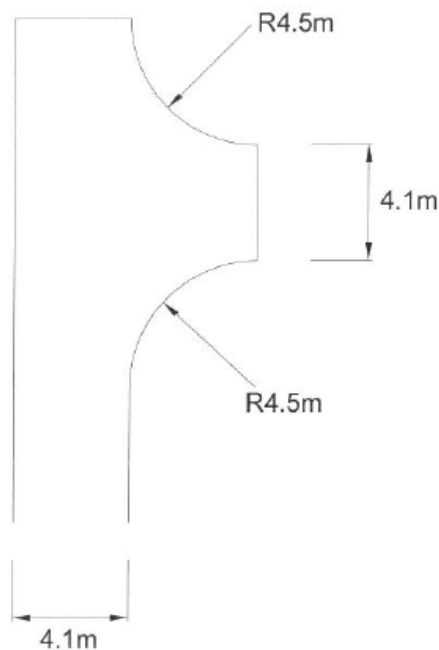


Diagram 2 – Option 2 Turning areas for cars

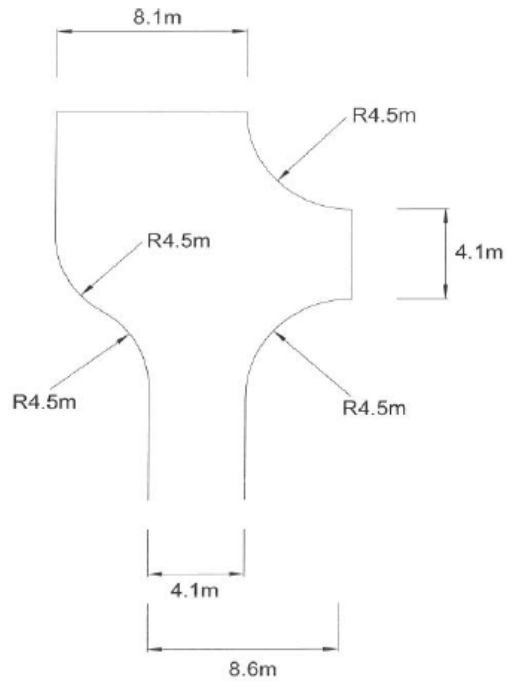


Diagram 3 – Option 3 Turning areas for cars

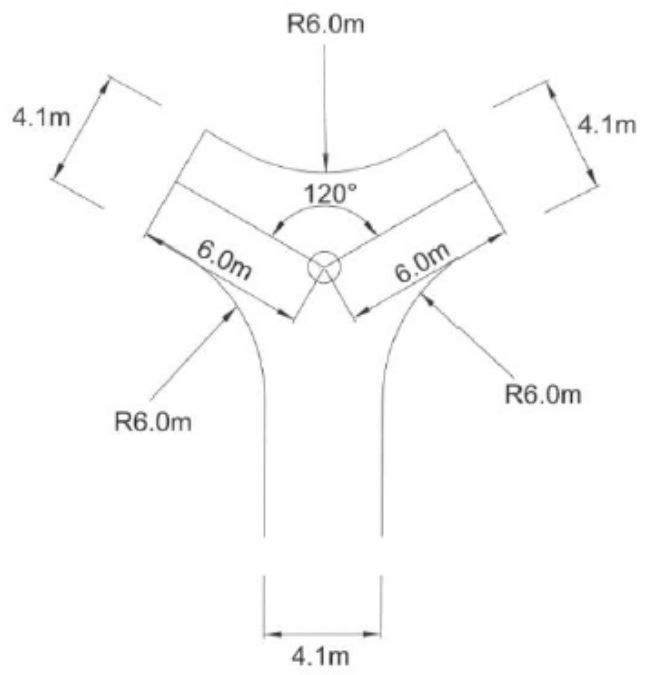


Diagram 4 – Option 4 Turning areas for cars

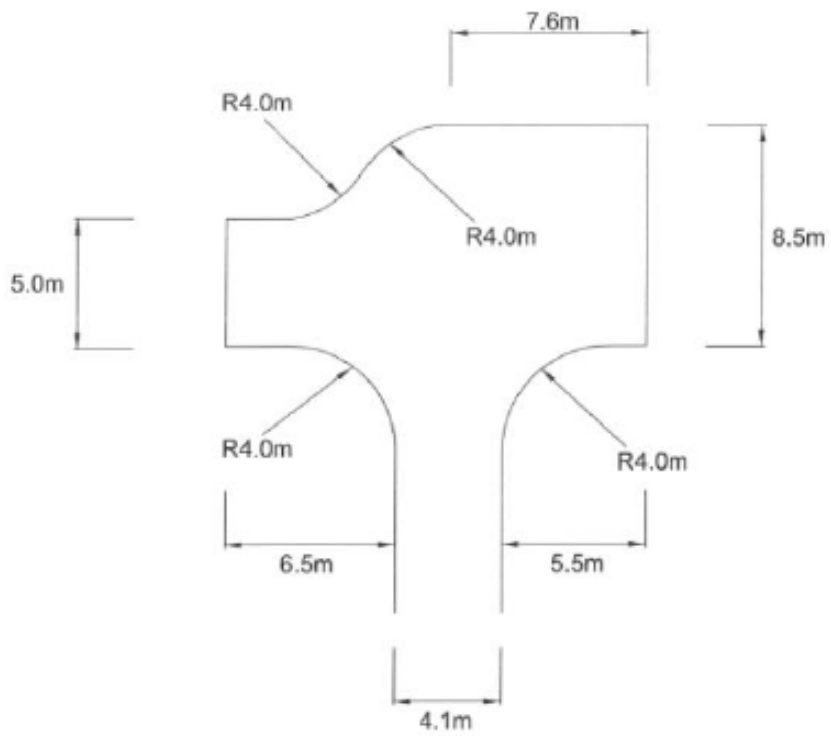


Diagram 5 – Option 1 Turning area for refuse vehicles

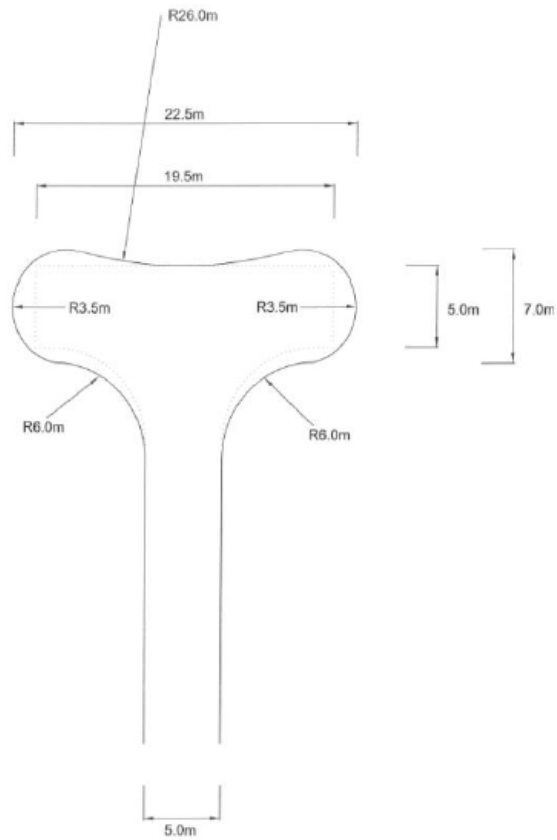
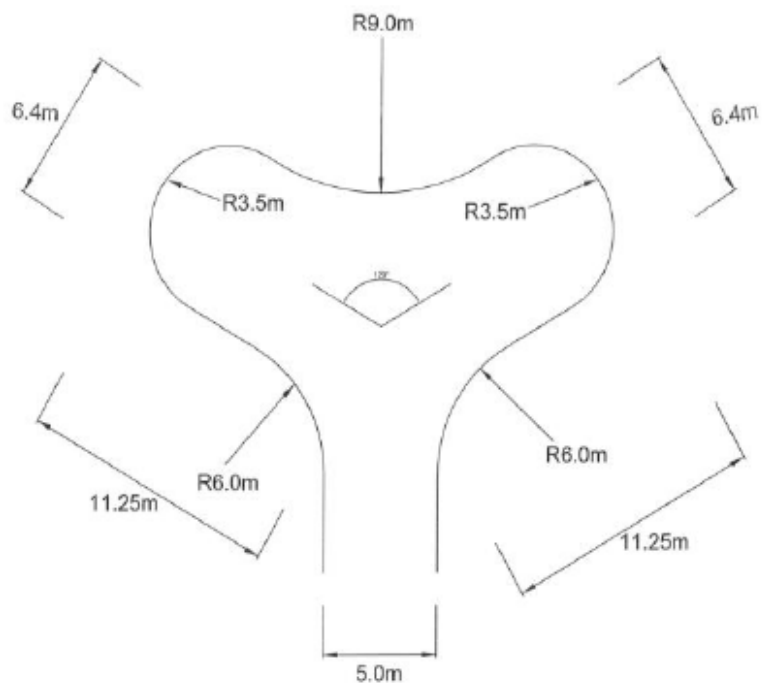


Diagram 6 – Option 2 Turning area for refuse vehicles



Parking provision

- 4.5. Parking provision should be in accordance with the adopted parking standards of the local planning authority. Parking needs to be considered as part of the design and layout of the site so that parking on the highway does not create a safety or operational issue on the highway.

Refuse collection points

- 4.6. For a development of up to 5 dwellings with access from an unclassified road it is unlikely that a refuse vehicle would enter the site. This should be checked however with the Local Authority Refuse Collection Team. If a refuse vehicle is required to enter the site, the geometry required should be determined in consultation with the Local Authority Refuse Collection Team. Example turning areas are provided above.
- 4.7. Where a refuse vehicle is not going to enter the site and refuse is to be collected from the kerb-side, a bin collection point would be required close to the site entrance. This should be sufficient to hold up to 2 bins per dwelling but this is dependent on the individual district's collection service. This is to ensure that bins are not left causing an obstruction on the highway.

5. Planning conditions and Informative

- 5.1. In addition to the planning condition recommended within this Standing Advice, there may be additional planning conditions that the local planning authority consider necessary. Most commonly these relate to the construction stage of the development or to restrict the use of migratory material within the first 6 metres of a private driveway as measured from the edge of the highway. This is to prevent loose material migrating onto the highway.
- 5.2. Whilst it will be for the LHA to confirm that the access arrangements are satisfactory, it is considered good practice that for all planning applications that require a new access, the following informative is provided to specify that an appropriate licence or legal agreement will be required to permit the works to take place on the highway:

Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway,

verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk