

Part 7 Appendix B6: Consultations on the 'Highways, transportation and development' draft (November 2003)

Section CD1: Introduction

- 1.1 In November 2003, we began a six-week consultation on the draft of our new document.
- 1.2 We consulted the wide range of public and private organisations listed in Section CD2.
- 1.3 The results of the consultation exercise, as summarised in Section CD3, helped to shape the then published version of 'Highways, transportation and development' (now the Leicestershire Highway Design Guide)

Section CD2: List of organisations we consulted

Leicestershire County Council

- Colleagues in the department of Highways, Transportation and Waste Management (now Environment and Transport), plus colleagues in other departments involved with development, including planning.

District Councils

- All District and Borough Councils.

Adjoining authorities

- Leicester City Council
- Rutland County Council District Council.

Leicestershire Constabulary

- The Traffic Management Division and architectural liaison officer.

Disability groups

- Age Concern Leicestershire
- Centre for Deaf People (Leicester)
- Leicestershire Action for Mental Health
- Leicestershire Disabled Living Centre
- Leicestershire Guild of the Disabled
- Mencap (Leicester)
- Royal Leicestershire Rutland and Wycliffe Society for the Blind.

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Developers, consultants and architects

Babtie Group Ltd	Joynes Pike & Associates
Barratt East Midlands	KRT Associates
Barrowcliffe Properties	Lovell Partnerships Ltd
Bellway Homes Ltd	Mason Richards Partnership
Birch Homes Ltd	McHugh Construction Ltd
Black Hawk Properties	Michael Goodall Quality Homes Ltd
Bovis Homes Ltd Central Region	Michael W Conway Associates
Bradgate Development Services Ltd	Miller Construction
Brian Dearlove Partnership	Miller Homes (West Midlands)
Bryant Homes Ltd	Miller Homes (East Midlands) Ltd
bsp Consulting	Parkinson Dodson & Associates
Cadeby Homes Ltd	Persimmon Homes (North Midlands) Ltd
Cameron Homes Ltd	Peveril Homes Ltd
Cawrey Ltd	Pick Everard
Chris Evans Associates	Pickwell Construction Ltd
Crest Nicholson Residential (Midlands) Ltd	Preece Consultants Ltd
D Sutton & Sons (builders) Ltd	R P N Underwood & Son Ltd
Darian Homes Ltd	RJH Building Construction Ltd
David Wilson Homes Ltd	Raynsway Properties Ltd
De Montfort Housing Society Ltd	Redrow Homes Ltd
Diamond Wood Partnership	Rodgers Leask Ltd
Eden Park Developments Ltd	S G Turner
Edwards & Edwards Consultancy Ltd	Savage Hayward
F E Downes Ltd	Silverdale Developments Ltd
Faber Maunsell	Sol Homes
Fairclough Homes Ltd	Stephen George & Partners
Frederic Chadburn	T Denman & Sons Ltd
Fox, Bennett & Hackney	T A Millard Midlands Ltd
George Wimpey East Midlands Ltd	Taylor Woodrow Developments
George Wimpey North Midlands Ltd	The BWB Partnership Ltd
Graham Harris Partnership	The Redfern Kirton Partnership
Grove Park Commercial Centre Ltd	Town and Country Planning Services
Hamilton Knight Development Co. Ltd	Twigden Homes
Haslam Homes Ltd	Waterman Burrow Crocker
Highway Solutions Ltd	Westbury Homes (Holdings) Ltd
Housden Builders Ltd	Westleigh Developments Ltd
Hssp Architects	White Young Green Consulting Ltd
Ideal Country Homes Plc	William Davis Ltd
Isherwood McCann	Williams Builders Ltd

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J P & M T A Brydon

J S Bloor (Services) Ltd

Jelson Ltd

John Littlejohn Ltd

Winfield Construction

Wormald Burrows Partnership

WSP Development

Services

Anglian Water Services Ltd

British Gas Transco

British Telecom PLC

Cable & Wireless Communications

Connect Ltd

East Midlands Electricity PLC (Leicester, Lincoln and Northampton offices)

ENERGIS Communications Ltd

Gas Transportation Co

I P M Communications

National Grid Company PLC

NTL (various offices)

Seven Trent Water.

Others

British Horse Society

British Motorcyclists Federation

Cyclists Touring Club (Leicestershire & Rutland)

Environment Agency (various offices)

House Builders' Federation

Sustrans.

Section CD3: Summary of issues and responses

Organisation	Summary of main issues raised SPG = Supplementary Planning Guidance	Response and any proposed changes
Highways, Transportation and Waste Management Department		
Public transport	No significant issues raised – made generally detailed comments on the text.	Take comments on board, as appropriate, during editing.
Scheme development and project management	Suggested changes made to maximum length of straights (for vehicle speed control), and made detailed comments on the text.	Take comments on board, as appropriate, during editing.
Highways development control	Care needs to be taken over house design and densities on shared-surface roads.	Review text to make sure this is clear.
	No other significant issues raised – made generally detailed comments on the text	Take comments on board, as appropriate, during editing.
Other Leicestershire County Council departments		
Control monitoring (Planning)	The transport assessment, travel plan and disabled parking requirements should cover schools and higher education too (schools and 'higher education' need to be defined in glossary). Perhaps more thought is needed on the standard of roads and footways needed to serve these.	Cover schools and higher education.
	The section on services should also refer to avoiding potential archaeological sites and foundations of listed buildings.	Amend text accordingly.
Environmental action (Landscape)	Landscaping should be an integral part of new developments and should be included in the initial planning of the layout. The text needs altering to reflect this.	Strengthen references in the main body of document. Consider the appendices again and publish separately from the main document if necessary. Form a small working group, including officers from Environmental Action and Forestry, to do this.)
	Greater reference to British Standards is needed relating to topsoil, planting and landscaping.	<i>Ditto</i>
	Appendix E might encourage developers to prepare a 'DIY' landscape scheme when they should employ a chartered landscape architect. The tree list should not be included in the final document and more information should be included in the appendix.	<i>Ditto</i>
	Alterations are also needed to Appendix F.	<i>Ditto</i>
Police Architectural Liaison Officer	The police support the document and welcome references to 'designing out crime'	
	Rear parking courts without surveillance should be discouraged. The text needs revising to make this clear.	Take comments on board, as appropriate, during editing

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	Planting must not affect surveillance. The text needs revising to make this clear.	<i>Ditto</i>
Police Traffic Management	No significant issues raised – made generally detailed comments on the text.	Take comments on board, as appropriate, during editing.
William Davis Ltd	How can the document be adopted as SPG? There is no reference to a plan policy. Any link should be to the adopted plan, not its replacement.	In the light of the new Planning Act, and after discussions with the Government Office for East Midlands and with planning and legal colleagues, we now intend to adopt the new document as County Council policy rather than as SPG.
	The additional design flexibility is welcome, but the thresholds for minor transport assessments (MinTA) and concept proposals (CP) are set far too low. This makes them unreasonable and unduly onerous.	Raise the threshold for MinTA and CP from 10 to 25. Differentiate between CP requirements for outline and detailed planning applications. Emphasise that in most case a MinTA will only need to set out how safe, satisfactory site access can be achieved for vehicles, pedestrians and cyclists (and public transport where appropriate). A CP simply draws together issues that should normally be considered in preparing a development proposal. For 'straightforward' developments, the details needed will be little more than those required for a detailed planning application and Section 38 procedures. We have shifted the emphasis to dealing with issues at the earliest opportunity to help the smooth progress of later stages (see below).
	Will highway and planning authorities have resources to handle pre-application issues?	No change proposed – the new approach changes the emphasis to carrying out work pre-application instead of post-submission. We acknowledge, however, that it could take time for all parties to adapt to this. But, with experience, there should be reduced time and effort spent on applications as most matters should be resolved before submission.
	Travel plans should not be required for residential developments.	In principle, no change proposed, but we will modify text to clarify what might be expected for a residential development. Travel plans are increasingly required for residential developments, and this has been supported by planning inspectors.
	The concept proposal (CP) should form part of the design statement (DS) submission.	No change proposed – while it can form part of a DS, a CP should be prepared well before any planning application is submitted.
House Builders' Federation	The increased design flexibility is welcome but it is too onerous and inflexible in other respects.	
	The trigger point for a minor transport assessment is too low.	See reply to similar issue raised by William Davis Ltd.
	The concept proposal should form part of the design statement submitted with the planning application. Longer timescales are a concern.	No change proposed – see reply to similar issue raised by William Davis Ltd.
	Do highway and planning authorities have the necessary resources to handle pre-application matters?	No change proposed – see reply to similar issue raised by William Davis Ltd.
	Difficult to see how developers can influence how residents choose to travel.	No change proposed – see reply to similar issue raised by William Davis Ltd.

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	How far should the police architectural liaison officer (ALO) be involved? Longer timescales are a concern.	No change proposed – local authorities have a duty to help tackle crime. Crime, or fear of crime, can deter walking and cycling, and using parking courts. Crime problems can also detract from the quality of a development. The ALO's advice is important and he supports the document.
	Highway authorities do not have powers to require developers to contribute to public transport funding. They can only negotiate in line with circular 1/97 and other planning requirements.	We accept that we can only try to negotiate contributions and that any contribution should be reasonable, relative to the scale and impact of a development. We will review the text to make sure that this is clear.
	There is no provision in the Highways Act for commuted sums. The highway authority is exceeding its powers.	No change proposed – current legal advice is that we are acting within our powers under the Highways Act to require them. Section 38 and Section 278 of the Act allow us to recover maintenance costs. We have developed our policy with other authorities. We will review our position if there is any contrary legal judgement on this matter, however.
Leicester City Council	It is important that County and City documents are 'fairly consistent'.	Currently seeking to develop closer links on highway development control matters. There is no indication as to whether the City will continue to use 'Highway Requirements for Development' or adopt the new document instead.
	Safety should not be compromised, the introduction of safety audits is welcomed.	
	The increase in the number of unadopted roads may mean increased legal agreements to cover future maintenance.	
	Developers should be encouraged to resolve highway issues at the pre-application stage.	
	Provision for sustainable transport modes should be stressed.	The new document places far greater weight on walking, cycling and public transport.
	Formulas are needed to calculate developer contributions.	No change proposed – outside the scope of this review.
	Three spaces for each dwelling is too car based and not consistent with PPG13 and City SPG.	No change to standards proposed at this time. We will work with district councils to consider parking standards as part of the Local Development Framework process, taking into account any further national research or guidance, including the results of the ongoing ODPM study on residential parking. (We will amend the document text to reflect this.)
	Looking forward to further consultation.	We have carried out extensive consultations while preparing the new document. A district council planning representative is a member of the Steering Group responsible for managing the document's preparation. In the light of this, no further formal consultations are proposed before the new document is approved. However, this is not a 'once and for all' matter; the new document will need to evolve in the light of national, regional and local policies, comments from planning authorities, experience with its use and so on.
Hinckley and Bosworth Borough Council	We welcome the review and the less prescriptive approach, but success depends on (skillful) interpretation by engineers.	We recognise that there is a learning curve for all involved, developers, planners and engineers. We intend to hold a launch meeting for highway authority officers where we will advise on using the new document.

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	The emphasis on early liaison between planning and highway authorities is welcome.	
	The current draft not user-friendly. The web-based approach needs successfully implementing.	Work is on-going to develop the web-based version and make it is as user friendly as possible.
	Pictures of best practice are needed.	Appropriate pictures will be included (district councils will provide examples of best practice).
	The phrase 'non-standard' may be misleading.	We will review this phrase and amend the text if we consider it appropriate.
	Not sure how to adopt it as SPG.	See reply to similar issue raised by William Davis Ltd.
	On-street parking portrayed as 'evil', but it can be achieved without detriment to the 'street scene'.	No change proposed – the balance of the document is fair in the light of research we have carried out (for example, the residents' survey).
	The restrictions on Home Zone sizes are too tight.	No change proposed at this time – there are contradictions between national guidance and little practical experience of 'new-build' zones, for example, in terms of highway safety, parking and acceptance by residents. The proposed limits have been set out in line with other authorities in the region. They are not intended to stop larger developments consisting of a series of Home Zones, linked by routes that allow people and vehicles to circulate within the development (we will amend the document text to make this clear). We will review guidance in the light of any new national guidance and practical experience gained (for example, Crest at Hinckley).
	Concern that level of commuted sums will encourage developers to use cheaper materials that add little to street quality.	No change proposed – while we recognise the point, commuted sums are intended to cover increased maintenance costs without imposing unreasonable burdens on Council Taxpayers and the County Council's budget. They will make sure that quality developments can be maintained to a high standard. The policy has been developed in line with other highway authorities in the region. Developers will be alerted about any possible need for commuted sums during the pre-application discussions. Also, as experience is gained, it may be possible to provide a schedule giving an indication of commuted-sum rates.
	Further consultation is essential once amendments made, including illustrations.	See reply to similar issue raised by Leicester City Council.
Charnwood Borough Council	The replacement document is generally welcomed.	
	Much greater emphasis could be given to local distinctiveness.	Review the text and consider the amendments accordingly.
	The document should remind developers that schemes lacking in quality will not find favour with planning authorities.	Ditto
	The position in respect of Home Zone design and layout needs resolving.	No change proposed at this time – see the reply to the Home Zone issue raised by Hinckley and Bosworth Borough Council.
	The parking policy needs to be resolved. It should indicate that 1.5 spaces will be sought for each dwelling, but the provision will vary depending on dwelling type and location.	No change to standards proposed at this time – see the reply to the parking issue raised by Leicester City Council.

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	The section on cycle parking is sketchy. Cyclists' provision needs greater importance.	Departmental officers made no significant unfavourable comments, but will review the text again.
Harborough District Council	A web-based approach is helpful. Ease of use will help its success. Pictures of good practice would be useful.	Include appropriate pictures (looking to district councils to provide examples of best practice).
	Simplified road types are welcome, but careful interpretation is needed to distinguish between Access Road and Access Way. Early liaisons between highway and planning authorities are welcome, as is the section on Home Zones.	
	Not clear how the new document can be adopted as SPG.	See reply to similar issue raised by William Davis Ltd.
	Concern that level of commuted sums may lead to developers using cheaper materials that add little to street quality.	No change proposed – see reply to similar issue raised by Hinckley & Bosworth Borough Council.
	Parking appears to relate to urban areas. Rural guidance is needed, as problems in rural areas are different to urban and suburban settings.	No change to standards proposed at this time – see reply to parking issue raised by Leicester City Council.
Borough of Oadby and Wigston	Greater flexibility is welcome as is the emphasis on pre-application discussions. But there are significant resource issues (borough and county). Training would be helpful.	See reply to similar issue raised by William Davis Ltd on resources. See also reply to first issue raised by Hinckley and Bosworth Borough Council.
	Detailed Home Zone guidance would be welcomed.	
	Using of innovative traffic calming, for example, landscaping techniques, should be considered.	
	Including mews and courtyard developments would be helpful.	
	The advice on retaining trees is contradictory in	
	Appendix F. There are other concerns on landscaping and tree advice, including S106 Agreements which should take account of other priorities, for example, open space. It is unclear who will 'control conditions and ensure they are met' where a protected tree or planting is in a verge or open space.	
Melton Borough Council	Issues about adopting as SPG need resolving.	See reply to similar issue raised by William Davis Ltd.
	The desire for flexibility and innovation is commended, but there is greater onus on highway engineers to help create the best solution. The document demands careful interpretation and application (there have been problems with three sites in the town).	See reply to first issue raised by Hinckley and Bosworth Borough Council.
	Parking standards are inconsistent with the Local Plan. There is a lack of definition of areas - without common criteria there will be confusion and more appeals.	No change to standards proposed at this time – see the reply to the parking issue raised by Leicester City Council.

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	The more 'holistic' way of dealing with materials and landscape is welcomed. Leicestershire County Council should commit to adopting them.	We now have a more flexible approach to considering materials and landscaping. We are prepared to adopt items where, among other things, road safety is not impaired and no undue maintenance burden is placed on Council-Tax payers or the County Council's budget. This is supported by the development of a commuted sums policy.
Blaby District Council	Generally the proposals are welcomed, particularly the emphasis on pre-application discussions. The increased flexibility in layout design is supported.	
	Abandoning the '5 off a drive' limit does not allow for potential congestion, obstruction and lack of on-street parking. There is no indication that car ownership or use will decrease, leading to problems with congestion and road safety.	No change proposed – we share concerns about safety and congestion and will continue to resist developments that would materially affect the safe and satisfactory operation of the highway. This is stressed in the new document. We will also continue to encourage developers to construct roads for adoption. However, given past planning appeal decisions, it is no longer practical to maintain a limit of '5 off a drive'.
	There are practical problems with parking guidance. Criteria relating to a one-space dwelling provision are poorly defined. Developers may argue locations are appropriate to increase densities. There is no standard for flats or apartments. There is concern that town centre locations do not necessarily mean low car ownership. Also, how does the new document apply to extended properties. Further debate and review is required.	No change to standards proposed at this time – see the reply to the parking issue raised by Leicester City Council.
	Disabled parking standard does not reflect Building Regulations Part M.	Amend document to make sure that parking standards do meet with Building Regulations.
	There is no specific reference to relaxing standards in conservation areas.	Review the text and consider whether it is necessary to amend it.