



Northamptonshire County Council

# **Local Highway Authority**

## **Standing Advice**

### **For Planning Authorities**

**Domestic Vehicle Accesses Serving 1 to 5  
Dwellings**

**and**

**Advertisement Applications**

**June 2016**

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Draft “ <i>Highway Authority Standing Advice - January 2008</i> ” issued to LPAs and County Councillors and East Midlands Region Highway Authorities for consultation	January / February 2008
“ <i>Highway Authority Standing Advice – Working Draft July 2008</i> ” issued to LPAs for use	1 <sup>st</sup> July 2008
“ <i>Local Highway Authority Standing Advice – Revision Draft October 2012</i> ” issued for consultation to Local Planning Authorities, Midlands Service Improvement Group and Consultants for comment	26 <sup>th</sup> October 2012 to 30 <sup>th</sup> November 2012
“ <i>Local Highway Authority Standing Advice – April 2013</i> ” issued for use	15 <sup>th</sup> April 2013
“ <i>Local Highway Authority Standing Advice – review Draft April 2016</i> ” issued for consultation to all Local planning Authorities for comment	28 <sup>th</sup> April 2016
<b>Local Highway Authority Standing Advice - June 2016</b>	<b>1<sup>st</sup> June 2016</b>

**This Document Supersedes:-**

**“*Highway Authority Standing Advice – Working Draft July 2008*” and “*Highway Authority Standing Advice - April 2013*”**

**Please Note that for the purposes of this document and the scope of this advice, the Local Highway Authority functions are delivered by “Northamptonshire Highways” a partnership between the County Council and its Highway Services Provider KierWSP.**

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## 1. INTRODUCTION AND SCOPE

- 1.1. The Local Highway Authority's Standing Advice (This Advice) is intended to assist Local Planning Authorities to consider minor planning applications, including those that affect Public Rights of Way, (PRoW) from a highway perspective at Pre-Application, Duty Planner and Application stages. It enables them to apply standard Conditions, attach Informative Notes or require minor amendments to proposals without formal reference to the Local Highway Authority.
- 1.2. The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 removed the requirement for Local Planning Authorities, (LPAs) to consult if a development is subject to any standing advice in relation to the category of development
- 1.3. Section 22 5 (c) 'Duty to respond to consultation' of the Town and Country Planning (Development Management Procedure) (England) Order 2015, provides the Legal Basis for a statutory consultee to refer the Local Planning Authority to current standing advice.
- 1.4. This Advice supersedes Northamptonshire County Council's "*Highway Authority Standing Advice – April 2013*" issued in April 2013.
- 1.5. Reference also be made to the County Council's "*Development Management Strategy*" [www.northamptonshire.gov.uk/en/councilservices/Transport/TP/Pages/NTP-thematic-strategies.aspx](http://www.northamptonshire.gov.uk/en/councilservices/Transport/TP/Pages/NTP-thematic-strategies.aspx)
- 1.6. This Advice draws on experience and feedback gained from the use of previous documents, a review of Regional best practice and consideration of material changes in standards and policies. The assistance of the *Midlands Service Improvement Group – Development Management Task Group* is acknowledged.
- 1.7. This Advice sets out the type and scale of applications on which the Local Highway Authority **Does Not** wish to be automatically consulted upon. It also clarifies the level of information required by the Local Highway Authority if it is formally consulted about an application within the scope of this Advice. The level of information required for larger applications is not covered.
- 1.8. Reference in this Advice is made to "*Manual for Streets*" published by the Department for Transport, (DfT) March 2007 ([www.manualforstreets.org](http://www.manualforstreets.org)) and "*Manual for Streets 2*" published by CIHT ([www.CIHT.org.uk](http://www.CIHT.org.uk)).
- 1.9. It should be noted that standards and advice regarding domestic private accesses contained in this document are equally applicable to such accesses onto proposed roads in larger estate street layouts.
- 1.10. Where planning conditions are recommended, a formal reason for the inclusion of the condition would be the appropriate Development Plan Policy relating to "highway safety". For ease of reference Appendix B1, 2 and 3 collates the recommended Conditions and Informatory Notes quoted within this document.
- 1.11. It is acknowledged that the drafting of planning conditions and associated reasons for such conditions, or indeed the drafting of reasons for refusal rests with the Local Planning Authority determining the application.

## 2. CONSULTATION THRESHOLDS AND PROTOCOL

### 2.1. Consultation Thresholds

2.1.1 The Local Highway Authority **DOES** want to be consulted on the following types and scales of development: -

- Any development for six or more dwellings / residential units (including outline applications) served by a single access from any road.
- Any development for a new access onto a Trunk Road, "A" or "B" Class road or within 50.0m of such roads.
- Any development to create a second or additional access to a single dwelling.
- Outline planning applications for mixed use or commercial development.
- Any development which crosses a Public Right of Way
- Any Change of Use planning applications
- Any development which mixes flats and dwellings on shared private drives
- Any development for Houses in Multiple Occupancy (HMOs)
- Any development for a dwelling within 1.0m of the existing highway boundary
- Any development not listed in paragraph 2.1.2 below.

2.1.2 Subject to compliance with paragraph 2.1.1 above, the Local Highway Authority **DOES NOT** want to be consulted on the following types and scales of developments. The following also apply to developments that affect Public Rights of Way, (PRoW): -

- Developments of, or resulting in 5 dwellings or less served by a private drive onto a "C" Road or Unclassified Road compliant with, or amendable to be compliant with, this Advice
- Proposed development accessed from a Class 3 or "C" Road or an Unclassified Road (excluding those that fall within 50m of a Trunk Road or "A" or "B" Class Road).
- Any residential development that does not include a new or alteration to any existing vehicular access to any street.
- Applications for advertisement consent under the Town and Country Planning (Control of Advertisement) (England) Regulations) 2007 (as amended) that comply or can be conditioned to comply with this Advice.
- Any new (or altered) fence, railing, wall, gate or any other means of enclosure requiring planning consent, that does not adversely affect visibility for and to drivers of vehicles entering or exiting an adjacent private access or PRoW.
- Applications for Listed Building Consent, Conservation Area Consent and Tree Preservation Order Works.
- Developments where PRoW do not cross or fall within the site boundary, except where a PRoW is used as access.
- Applications to remove Hedgerows.

The Local Highway Authority would refer Local Planning Authorities to this Advice if it is consulted on such applications for such developments.

2.2.1 This Advice is issued without prejudice to the Local Highway Authority's right to be consulted on any application it considers necessary and to require mitigation for the effects of development by way of highway works or contributions towards highway works and initiatives including to Public Rights of Way.

## 2.3 Consultation Protocol (See flow chart in Appendix C)

- 2.3.1 If the Planning Authority Officer considers that, when judged against this Advice, an application fails to meet the standards included within it, they should:-
- a) Seek amendments to the application, if feasible, to make it compliant with this Advice.
  - b) Consider the imposition of conditions requiring compliant details to be submitted prior to commencement of the development.
  - c) If the Planning Authority Officer considers a) or b) would not resolve non-compliance, they should, in the first instance, discuss the application **informally** with the Northamptonshire Highways Officer for their respective area. The Northamptonshire Highways Officer will give **informal advice** on the proposal. If in **their** opinion a development cannot be reasonably amended or that conditions to resolve matters can not be imposed, then they may consider whether or not a refusal is appropriate. Any informal advice to that extent would be confirmed in writing within 7 working days.
  - d) If the Planning Authority Officer considers that obtaining such information would delay their determination of an application within prescribed timescales, then it is acknowledged that the Local Planning Authority may consider refusing such an application. The Planning Authority Officer should carefully consider if such a refusal is sustainable at appeal if amendments can be accommodated or appropriate conditions to resolve non-compliance could reasonably be imposed.
- 2.3.2 **If** the Northamptonshire Highways Officer considers an application should be refused they will give **verbal advice** to that effect. The Northamptonshire Highways Officer will aim to confirm in writing any such verbal advice within 7 working days.
- 2.3.3 If the Planning Authority Officer considers that an application is clearly non-compliant and could not, in their view, be amended or improved to comply in any way, then the Planning Authority Officer should let their Northamptonshire Highways contact know as soon as possible.

### 3. CONSULTATION CONTENT

- 3.1. Applications that fall within the scope of this Advice would not be the subject of formal consultation unless a refusal for non-compliance is considered appropriate by the Planning Authority Officer. Consideration of whether such non-compliance can be resolved by obtaining compliant details or the imposition of conditions is required. In such cases, the Local Highway Authority will require a formal letter / email of consultation and a copy of, or access to the following documentation: -
- The Application Forms
  - The Site Location / Site Boundary plan
  - The Design and Access Statement
  - Block Plan or ground floor details
  - Any details submitted that show access
- 3.2. If any of the above has not been submitted with a consultation, the Local Highway Authority will advise on what it requires at the earliest opportunity.
- 3.3. It is acknowledged that the scale of development within the scope of this Advice is unlikely to be supported by a Transport Statement / Assessment and Travel Plan. However, if such documents are submitted they should be referred to the Local Highway Authority if a refusal for non-compliances being considered and the Local Highway Authority's written response is required.
- 3.4. If the Local Highway Authority considers that it has insufficient or inadequate information and the Local Planning Authority wishes to determine the application:-
- without obtaining any additional information
  - if the Applicant refuses to provide the requested information

the Local Highway Authority reserves the right to recommend that the application be refused for the following Reason: -

- As submitted and without alteration, it is considered that the Applicant has failed to adequately assess and mitigate the highway safety and capacity effects of the development. As such, it is considered that the Applicant has failed to demonstrate that the development would not have a detrimental effect on highway safety and capacity.
- The Applicant has failed to consider or address any impacts the development may have on the Public Right of Way(s).

## 4. DETAILED CONSIDERATIONS – SINGLE AND SHARED RESIDENTIAL ACCESSES

### 4.1. What is a Highway?

- 4.1.1. “Highways” are roads, streets, paths, verges, routes or ways over which the public have a right to pass and re-pass without hindrance or obstruction. This includes all Public Rights of Ways, (PRoWs) such as Footpaths, Bridleways and Byways Open to All Traffic, (BOATs). “Highway Rights” exist from boundary to boundary and are protected by the powers within the Highways Act 1980 (as amended) and Countryside and Rights of Way Act 2000. The extent of a Highway could include a carriageway, footway and verge or any combination. PRoWs may also have “Awarded Widths”, that is a width defined for a PRoW irrespective of any boundary features that may be present.
- 4.1.2. It should be noted that not all “Highways” are maintained at public expense. Northamptonshire Highways’ Land Searches team hold records of what is or is not “Highway”. Northamptonshire Highways’ Definitive Map Team holds the Definitive Map and Statement 2010 confirming all defined and registered Public Rights of Way. Such Map and Statement may be updated from time to time.
- 4.1.3. Local Planning Authorities have copies of the “*The Definitive Map and Statement 2010 of Public Rights of Way*” (and as may be amended from time to time) which is definitive proof that Public Rights of Way exist. The omission of a route does not imply that a Public Right of Way does not exist.
- 4.1.4. If Planning Authority Officers are in any doubt regarding any potential or known Public Right of Way they should contact the Northamptonshire Highways Officers.

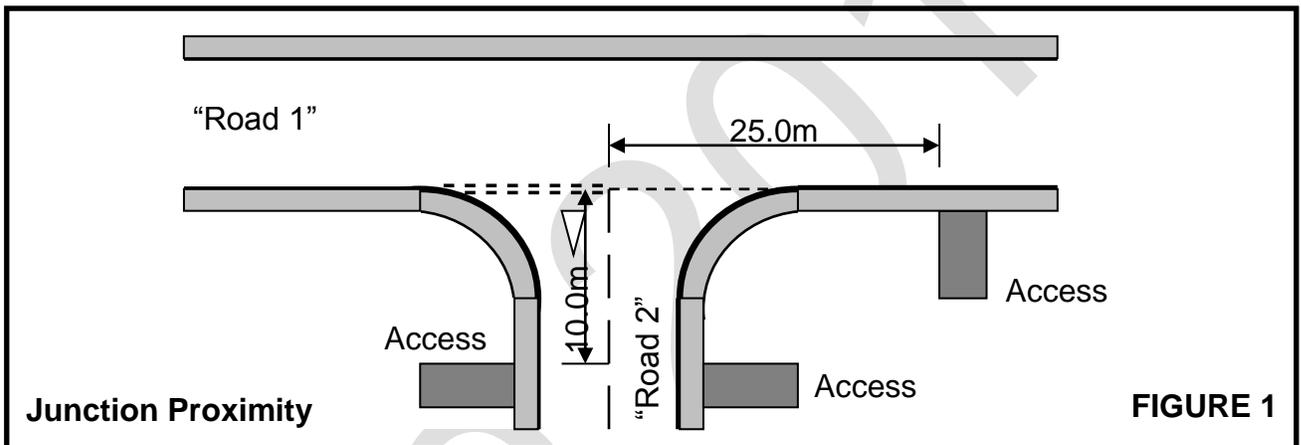
### 4.2. Detailed Consideration Process

- 4.2.1. There are inherent conflicts and risks with any vehicular access. The DfT’s Technical Directive TD 41/95 - “*The Effects of Providing Vehicular Access*” states that “*Access accidents were found to be about 12% of the total accidents*”. Risks and conflicts can never be removed altogether but the standards and criteria contained within this Advice assist in managing and minimising them.
- 4.2.2. When forming an initial view on an application that would create, or result in an access serving one to no more than five dwellings, the following issues should be considered: -

<b>Issue</b>	<b>See Section</b>	<b>Issue</b>	<b>See Section</b>
Proximity to a junction	4.3	Gradient	4.11
Access Width	4.4	Drainage	4.12
Vehicle to Vehicle Visibility	4.5	Surfacing	4.13
Vehicle to Pedestrian Visibility (and Vice Versa)	4.6	Length	4.14
Garages and Car Ports	4.7	Gates	4.15
Parking	4.8	Existing Accesses	4.16
Turning Facilities	4.9	Building Proximity to Highway (including Public Right of Way)	4.17
Multiple Accesses	4.10	Construction and Licensing	4.18

### 4.3. Proximity to a Junction

- 4.3.1. With reference to **Figure 1** below, on a side road, a minimum clearance of 10.0m should be provided between the nearest side of a vehicular access on “Road 2”, (including Byways), and / or the Give Way line at any adjacent junction of “Road 2” with “Road 1”, a side road.
- 4.3.2. For vehicular accesses onto “Road 1” a minimum clearance of 25.0m is recommended to / from the centre of the side road (or Byway) “Road 2” and the nearest side of an access to the junction as in **Figure 1** below. These clearances ensure that when vehicles are indicating to turn into an access or a junction their intentions are clear to other highway users. In addition such clearance ensures that vehicular visibility is maintained.



- 4.3.3. It should be noted that some junctions may have radii greater than 10.0m in which case no part of the access should fall within that radius.
- 4.3.4. If proposed accesses fall within the dimensions noted, the matter should be discussed informally with the Northamptonshire Highways Officer.
- 4.3.5. For detailed proposals, plans should be obtained to ensure that the clearances required along with all other criteria, visibility etc. can be complied with.
- 4.3.6. If such detail is not available and the application is being determined, or if it is an Outline application, the following conditions may be considered.

#### Condition – Access Proximity

- The means of vehicular access hereby permitted, shall at no point be less than 10.0m from the give way line of the adjacent junction [or Byway].

Or

- The means of vehicular access hereby permitted, shall at no point be less than 25.0m from the centre of the adjacent junction [or Byway].

#### 4.4. Access Width

- 4.4.1. Individual vehicular accesses, (up to but not exceeding 45m long from the highway boundary), serving parking spaces for single dwellings should have a minimum width of 3.0m and a maximum width of 3.7m at the highway boundary.
- 4.4.2. If the proposed access will also be used as the sole means of pedestrian access, its minimum width should be increased to 3.3m. This would comply with “Lifetime Homes” requirements that seek to ensure that parking spaces are capable of being widened to a minimum of 3.3m.
- 4.4.3. Vehicular accesses serving two to five dwellings, (up to but not exceeding a maximum length of 45m from the highway boundary), should have a minimum width of 4.5m for the first 10.0m from the highway boundary. This enables two opposing vehicles to pass each other at the point of access. This in turn ensures that a vehicle entering a site does not stop and turn within the highway to allow an emerging vehicle out. A maximum width of 5.5m also applies.
- 4.4.4. Vehicular accesses that are or will be shared with a Public Right of Way, (PRoW) must take account of the legal width for that PRoW and must not be reduced.
- 4.4.5. For accesses exceeding 45m in length from the highway boundary please refer to section 4.14 below.
- 4.4.6. All accesses should be aligned square to the highway to ensure that visibility for and to emerging drivers is optimised.
- 4.4.7. For developments that would increase the use of an existing single access to serve more than one but no more than five dwellings the existing access must be widened to provide the 4.5m width for the first 10.0m, from the highway boundary.

#### **Condition - Single Dwelling Access (covers surfacing and gradient as well)**

- Prior to first use or occupation of the development hereby permitted, the means of access shall be of a minimum width of [3.0m\* or 3.3\*] [and shall be paved with a hard bound surface for the first 5m from the highway boundary such surfacing shall thereafter be retained\*\*]. [The maximum gradient over the 5m distance shall not exceed 1 in 15\*\*\*].

*\*only state appropriate dimension see 4.4.1 and 4.4.2 above*

*\*\*to be included where surfacing is not confirmed or shown as loose material, on submitted plans.*

*\*\*\*to be included where gradients are not confirmed, on submitted plans.*

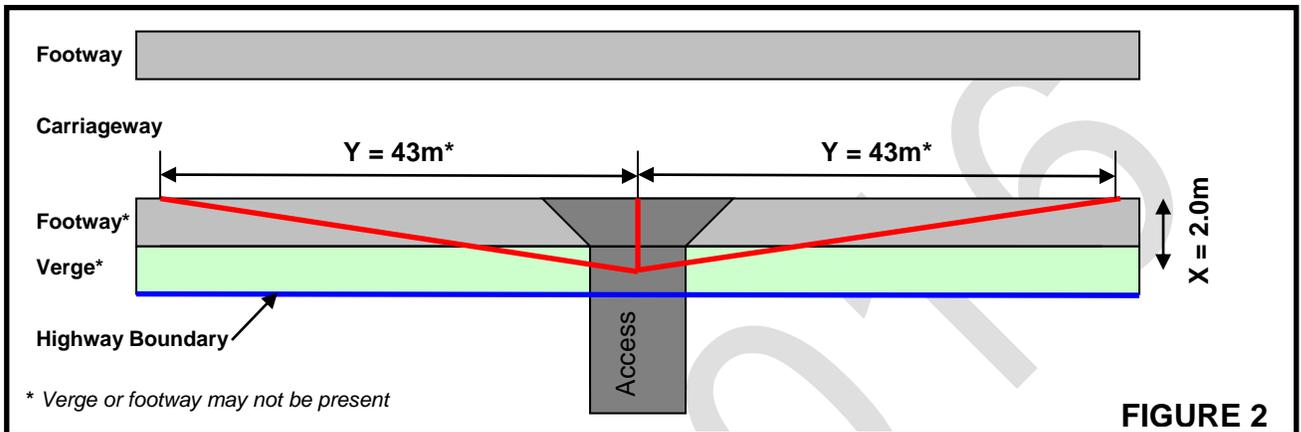
#### **Condition - Shared Private Drives (covers surfacing and gradient as well)**

- Prior to first use or occupation of the development hereby permitted, the means of vehicular access shall be of (or widened to) a minimum width of 4.5m for the first 10.0m from the Highway Boundary. [That area shall be paved with a hard bound surface for the first 5m from the highway boundary such surfacing shall thereafter be retained\*]. [The maximum gradient over the 5m distance shall not exceed 1 in 15\*\*].

*\*to be included where surfacing is not confirmed or shown as loose material, on submitted plans.*

## 4.5. Vehicle to Vehicle Visibility

- 4.5.1. Vehicular visibility splays ensure that emerging vehicle drivers **can see and be seen** by other highway users. **Figure 2** below shows how vehicular visibility is measured. Reference should also be made to Section 7.7 of *“Manual for Streets”*.



- 4.5.2. The splays consist of two components: -
- An “X” distance measured from the carriageway edge along the centre of a vehicular access. For domestic development of up to five dwellings the “X” distance will be 2.0m.
  - A “Y” distance measured from the centre of the vehicular access along the carriageway edge. This distance is directly related to vehicle speed. On streets subject to 30mph speed limits a “Y” dimension of 43m is appropriate as a default.
- 4.5.3. It should, of course be noted that vehicle to vehicle visibility splays also have a vertical dimension measured from an eye height of 1.05 above access level to an object height of 0.6m above carriageway level. See Section 7.6 of *Manual for Streets* for details.
- 4.5.4. In practice and in the majority of cases it has been found that maintaining any feature within the development site at a height not exceeding 0.9m above access level will comply with such requirements. However, if for whatever reason a feature does not comply, reference to *Manual for Streets* will ensure full compliance. For simplicity and as it applies in the majority of cases within the scope of this Advice the recommended conditions refer to a maximum feature height of 0.9m.
- 4.5.5. “Y” distances can be reduced in some circumstances. However, speed surveys would be required to prove actual vehicle speeds are lower than 30mph. If an Applicant asks how to undertake a speed survey, reference should be made to Technical Advice Note TA22/81 contained within the DfT’s *“Design Manual for Roads and Bridges”* (DMRB).
- 4.5.6. In a number of cases speeds may exceed 30mph. If this is known or reported then, whilst the informal view of the Local Highway Authority should be sought, evidence may be required in the form of a speed survey. Such a survey can be used to define vehicle to vehicle visibility splay criteria with reference to *Manual for Streets*., If available vehicle to vehicle visibility complies with any resultant dimension a refusal on the grounds of a lack of visibility would not be sustainable.

4.5.7. Mirrors of any nature **can not** be used to address visibility deficiencies.

4.5.8. Any feature within the resultant triangular visibility splay areas should not exceed 0.9m above carriageway / access level. The same conditions apply for a new access onto / from a Public Right of Way.

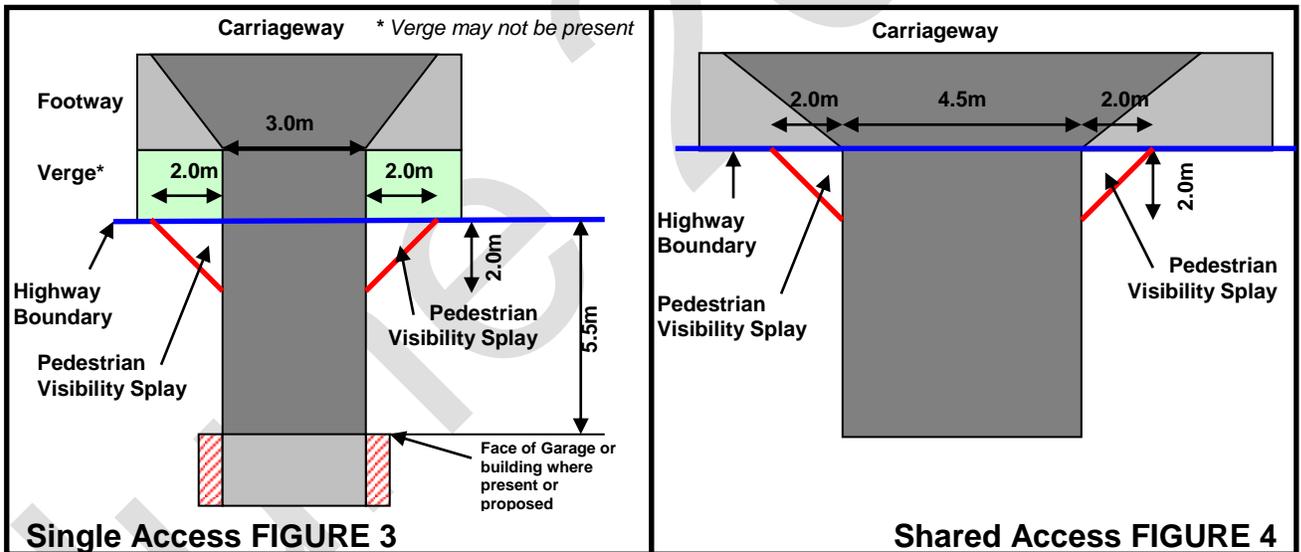
#### Condition - Vehicle to Vehicle Visibility

- Prior to first use or occupation of the development hereby permitted, vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m\* measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

\* This dimension may be reduced subject to the receipt of a vehicle speed survey proving the 85%ile speeds are less than 30mph.

#### 4.6. Vehicle to Pedestrian (and Vice Versa) Visibility

4.6.1. Pedestrian visibility splays ensure that emerging vehicle drivers **can see and be seen by pedestrians** on a footway. Pedestrian splays of 2.0m x 2.0m are required both sides of an access as shown in **Figures 3 and 4** below.



4.6.2. Any feature within the triangular pedestrian visibility splay areas should not exceed 0.6m in height above footway level. The same conditions apply for a new access onto / from a Public Right of Way.

#### Condition - Vehicle to Pedestrian Visibility

- Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.

## 4.7. Garages and Car Ports

- 4.7.1. Any garage door should be set back a minimum distance of 5.5m from the highway boundary so as to ensure that a vehicle can be parked clear of the highway and so as to ensure that the garage door can be opened without hindrance. The same conditions should be applied for any new garages in close proximity to a Public Right of Way.

### Condition – Garage Face Set Back

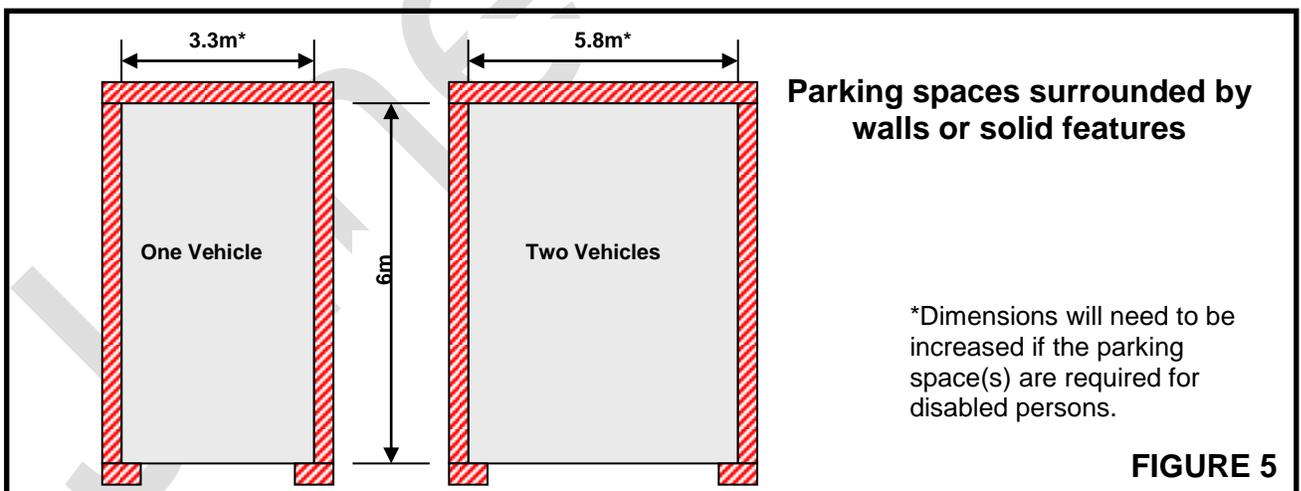
- The front face of the garage shall be set back a minimum of 5.5m from the highway boundary and shall thereafter be retained.

- 4.7.2. If car ports are proposed with their front open face within 5.5m of the highway boundary a condition should be attached to ensure the front open face of the car port remains open, un-gated / barred or enclosed.

### Condition – Carport Kept Clear of Obstruction

- The front face of the car port shall be retained at all times clear of any door, barrier, bar, gate or other such means of enclosure.

- 4.7.3. **Figure 5** below shows minimum internal dimensions required where parking spaces are surrounded by or are adjacent to walls or other such solid features.



## 4.8. Parking – General Advice

- 4.8.1. Please contact Northamptonshire Highways for guidance on residential car parking requirements.
- 4.8.2. A standard parking space should be 2.5m wide by 5m long. Where accesses beyond the highway boundary would be used for parking, then consideration should be given to ensuring such spaces are capable of being widened to a minimum of 3.3m to comply with *Lifetime Homes* guidance. Reference should also be made to **Figure 5** above where applicable. Typical parking arrangements are also shown within *Manual for Streets*.
- 4.8.3. The maximum number of off-street parking spaces abutting each other on a street frontage should not exceed 4. This ensures that there are gaps between parking spaces for pedestrian access, spaces for street furniture or utility plant. The maximum length of dropped kerb in any length, (be that for a shared access or adjacent accesses) is 11.0m.
- 4.8.4. Off-street parking provision for new developments should comply with relevant parking standards and policies. However, when considering parking provision, especially where limited or no off street parking is proposed, the Local Planning Authority should be aware of the following matters: -
- On-street parking within a highway **cannot** be allocated or assigned to any individual person or property. As such, its availability to accommodate a development's parking requirements cannot be assumed or relied upon. In addition, on street parking can, in some circumstances, be seen as an obstruction of the highway or Public Right of Way.
  - The Local Planning Authority may wish to consider obtaining a Parking Survey of the existing street to ensure there is an evidential base to such considerations. Search "*Parking Survey Methodology*" for further information on such surveys.
  - Prevalence of inappropriate parking or unlawful parking may imply that there is a lack of on street parking capacity.
  - In some cases on street parking pressures result from poor parking discipline with vehicles being parked with large gaps between them. The Local Highway Authority suggests that kerb side on street parking spaces could be assumed to be 6.0m in length. Therefore, the maximum, *theoretical*, parking capacity of a street can, be determined by measuring the length of the street, subtracting legal parking clearances from any junctions, obstruction of accesses and any existing parking / loading restrictions and dividing the resultant length by 6.0m.

## 4.9. Turning Facilities

- 4.9.1. Turning facilities for accesses should be encouraged in all situations based on swept path analysis of the largest vehicle likely to utilise the access. When provided, turning facilities, including those for emergency vehicles, should be permanently set aside for that purpose.

#### **Condition – Parking and Turning**

- Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall not be provided other than in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

#### **4.10. Multiple Accesses**

4.10.1. No dwelling should have more than one vehicular access point from any Highway including Public Rights of Ways (especially Byways). Such proposals create additional and unnecessary points of conflict between emerging vehicles and other highway users. As such, they should be resisted and any such proposal should be referred to the Local Highway Authority for consideration.

#### **4.11. Access Gradient**

4.11.1. The gradient of a vehicular access should not exceed 1 in 15 for a minimum of the first 5.0m from the highway boundary. This ensures that a vehicle sits relatively level when entering or leaving the highway to maximise visibility. In addition, such a gradient reduces the risk of a vehicle sliding in adverse weather conditions.

#### **Condition – Access Gradient**

- The vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.

#### **4.12. Drainage**

4.12.1. Surface water from a private drive or private land must not discharge onto the highway including Public Rights of Way, (PRoW). Unbound surfaces of PRoWs can be seriously affected by such discharges. Measures to prevent such a discharge are therefore required where vehicular accesses fall towards the highway and / or PRoW. The outfall for such drainage should also fall within the curtilage of the private property and may not be connected to any existing highway or surface water drainage system within the highway. Such facilities should always be in place and operational before the vehicular access is brought into use.

#### **Condition - Drainage**

- Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access [or private land] does not discharge onto the highway [and / or Public Right of Way] shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.

#### 4.13. Access Surfacing

- 4.13.1. All private vehicular accesses should have a hard bound surface for a minimum of the initial 5.0m from the highway boundary. Gravel or other such loose material shall not be permitted as it could be carried onto the highway and thereby creating a hazard to vehicles, cyclists and pedestrians.

##### Condition - Access Surfacing

- Prior to commencement of the development hereby permitted, details of the hard bound surfacing of the vehicular access shall be submitted to and shall be approved in writing by the local planning authority. The access shall thereafter be completed in accordance with the approved details prior to the first use of the access and maintained as such

*Reason:* In the interests of highway safety and residential amenity

- 4.13.2. The Local Highway Authority has a duty to ensure the surface of a Public Right of Way, (PRoW), is suitable for its use. The classification and setting of a PRoW determines the surfacing required. Improvements to surfacing or contributions towards such improvements of a PRoW should be secured wherever possible. This should be discussed with the Northamptonshire Highways Officer.

#### 4.14. Access Length

- 4.14.1. Vehicular accesses over 45m in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access and turning for emergency vehicles may be required. As this may affect the layout or arrangement of a development this potential constraint should not be overlooked. Refer to Section 6.7 of *Manual for Streets*.

- 4.14.2. The Northamptonshire Fire and Rescue service require: -

- All accesses over 45m in length to be a minimum of 3.7m wide for its whole length, to accommodate an appliance.
- Such accesses to accommodate a fire appliance with a 15 Ton axle loading
- Turning space for a fire appliance.

Please see "*Fire and Rescue Pre-Application Advice and Guidance for Developers Designing New Residential and Commercial Development Schemes in Northamptonshire*" [www.northantsfire.org.uk](http://www.northantsfire.org.uk) for further information.

- 4.14.3. For the avoidance of doubt in the case of a shared private drive exceeding 45m in length, the first 10.0m from the highway boundary should be a minimum of 4.5m wide.

- 4.14.4. Vehicular accesses over 45m in length can also have refuse collection implications. Part H of the Building Regulations limits carry distances for residents to no more than 30m from their building and that of operatives collecting waste to no more than 25m. There are also gradient restrictions. Refer to Section 6.8 of *Manual for Streets*.

- 4.14.5. Multiple dwelling bin and recyclable bin stores may be required within the curtilage of a development in locations that do not obstruct the highway, or the effective width of a private drive, pedestrian access or Public Right of Way.

## 4.15. Gates

- 4.15.1. Any gates at the point of access must be hung to open away from the highway including Public Rights of Way. This avoids them swinging out obstructing the highway and creating a danger for passing pedestrians and vehicles etc. It is an offence under Section 153 of the Highways Act 1980 to have outward opening or protruding features that obstruct the highway. Ensuring such things are controlled at the planning stage is in the interests of highway safety, the developer and future resident(s).
- 4.15.2. Any gates across a private drive should be set back a minimum of 5.5m from the highway boundary to enable a vehicle to stand clear of the highway before gates are opened.
- 4.15.3. There are some circumstances where it is appropriate to prohibit gates such as where parking spaces abut the highway boundary, where there is insufficient space to allow gates to open inwards or where such gating would obstruct a Public Right of Way. Other situations relate to shared accesses. Such situations should be discussed informally with the Northamptonshire Highways Officer.

### Conditions - Gates

- Any gates at the point of vehicular access to the development shall be hung to open away from the highway [and Public Right of Way]
- No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.
- No gates, barrier or means of enclosure shall be erected so as to obstruct a Public Right of Way

## 4.16. Existing Accesses

- 4.16.1. Any existing vehicular access that becomes redundant as a result of a development should be removed and reinstated as footway / verge etc. to match surrounding features. In some cases the removal of an access can have implications for continuity of traffic signs and road markings. The removal an access may require the removal of any existing associated road markings (white access lines), and traffic signs (banned turn signs etc.) associated with that access along with appropriate reinstatements. Such issues should be noted by the Planning Authority Officer during their site visit.

### Condition – Removal of an Existing Access

- Prior to the first use of the new access hereby permitted, any existing access made redundant by this permission shall be removed with the area reinstated in accordance details that shall first have been submitted to and be approved in writing by the local planning authority.

#### **4.17. Building Proximity to Highway (including Public Rights of Way)**

- 4.17.1. A minimum clearance of 1.0m between the face of any building, retaining structure garage or wall etc. and the highway boundary is required. This ensures that foundations and construction does not undermine or encroach upon the highway. It also ensures that building drainage, rainwater down pipes, eaves, outward opening windows etc. do not encroach onto or over the highway and / or Public Right of Way.
- 4.17.2. If for whatever reason such a clearance is not possible the Local Highway Authority should be consulted.
- 4.17.3. Any retaining structure, (retaining private land) within 1.4m of a highway requires the agreement of the Local Highway Authority under Section 167 of the Highways Act 1980. Any structure that would support a highway also needs the approval of the Local Highway Authority under the Party Wall Act 1996. In such cases, the Local Highway Authority should be consulted.
- 4.17.4. The following Informatory Note should be attached if consent for such proposals is granted: -

##### **Informatory Note - Structures abutting or supporting a highway**

- The applicant's attention is drawn to the requirement to obtain the express written agreement from the local highway authority for any structure that would retain the highway or would retain land abutting or adjacent to a highway. The local highway authority requires full engineering and structural details, Approval in Principle (AiP) documentation etc. All costs associated with any agreement, licence and structural design checks and approvals by the local highway authority shall be met by the developer.

#### **4.18. Construction and Licensing**

- 4.18.1. Planning Permission does not give or imply permission to implement any works within the highway and / or a Public Right of Way.
- 4.18.2. No works of any nature may commence within any highway or Public Right of Way without the express written permission of the Local Highway Authority. Such permission would be subject to the completion of an appropriate licence / agreement under the Highways Act 1980. See standard Informatory Notes below that should be attached to any consent for new or amended vehicle accesses or that would result in works within a highway including Public Rights of Way.
- 4.18.3. In the cases of works affecting Public Rights of Way, the written consent of the owner of the land over which the route runs, would also be required.
- 4.18.4. Most new dwellings will have connections to utilities and sewers that run within a highway. Such connections and associated highway work must be agreed with the Local Highway Authority. A license under Section 50 of the "*New Roads and Street Works Act 1991*" is required in such circumstances.

- 4.18.5. Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of, or alteration to, or closure of, an existing vehicular access or any works within the highway. The responsibility for arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.
- 4.18.6. Existing street furniture or features such as street lighting columns, trees, traffic signs, bollards, road markings, cabinets, post boxes, gullies, highway drainage covers, bus shelters etc. may be affected by the creation of, or alteration to, a vehicular access. Works to such furniture and infrastructure would need to be agreed with the Local Highway Authority and whoever maintains such features. All costs associated with the alteration, protection, relocation or removal of such features rest with the developer.
- 4.18.7. In some cases the relocation of traffic signs to facilitate a new access may require amendment to and / or the processing of, Traffic Regulation Orders. Such Orders are subject to their own statutory processes and consultations outside the planning system. The success or results of such consultations should not be assumed or guaranteed. If, during the Planning Authority Officer's site visit such issues are noted, the advice of the Northamptonshire Highways Officer should be sought.
- 4.18.8. Where building construction requires the import or export of material, Construction Management Conditions may be required. In the main this would include conditions ensuring that no mud or other such loose material migrates onto the highway.

**Condition – Control of Mud etc. on the Highway**

- Prior to the commencement of the development hereby permitted, details of measures to ensure that mud and other such loose material do not migrate onto the highway shall be submitted to and shall be approved in writing by the local planning authority. Such measures as may be approved shall thereafter be implemented and maintained for the duration of the construction period.

- 4.18.9. The following Informatory Notes **should always** be attached to any consent granted involving the creation of, or the removal of, a vehicular access or where works within the highway to facilitate a development are required.

**Informatory Note – Works affecting existing highways**

- The applicant's attention is drawn to the fact that no works may commence within the existing highway without the express written permission of the local highway authority. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any works within the highway shall comply with the local highway authority's standards and specifications.

**And / Or**

### **Informatory Note - Works affecting Public Rights of Ways**

- The applicant's attention is drawn to the fact that no works may commence within the existing Public Right of Way, (PRoW) without the express written permission of the local highway authority and Landowner. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any construction or improvements works on a new or existing PRoW would require a temporary closure in the form of a Traffic Regulation Order in the interests of public safety. Any works within the PRoW shall comply with the local highway authority's standards and specifications.

### **Informatory Note - Sewer Connections**

- The applicant's attention is drawn to the requirement that any new sewer connection required for this development within the highway will require a licence from the local highway authority under Section 50 of the New Roads and Street Works Act 1991.

### **Informatory Note – Road Space**

- The applicant's attention is drawn to the Traffic Management Act 2004 where three month notice periods to allocate road space (for works within the highway) is required prior to the commencement of works. Such notice cannot be submitted or commence until the completion of an appropriate license or Agreement with the local highway authority.

## 5. ADVERTISEMENT APPLICATIONS

- 5.1. Advertisements within and supported by structures founded within the highway or a Public Right of Way are unacceptable. Any such proposal should be referred to the Local Highway Authority for consideration of potential reasons for refusal.
- 5.2. Any source of illumination should be shielded from any adjacent highway and must not be of a flashing or be of an intermittent type.
- 5.3. Advertising signs should not mimic road traffic signs or include directional information and must not obstruct or obscure any vehicle or pedestrian visibility splay, any road traffic sign or traffic signal head and cannot be attached to any street furniture.
- 5.4. Care should be taken regarding any proposal in close proximity to traffic signal junctions and reference should be made to the DfT Technical Advice Note TA 57/87 – *Roadside Features - Section 10 'Roadside Advertisements'*.
- 5.5. The grant of Advertisement Consent includes deemed conditions as specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. However, in some cases applicants may not be aware of such requirements. As such, to avoid any doubts, the Local Highway Authority recommends that explicit conditions could be imposed on any such consent especially, if any details submitted are not compliant: -

### Conditions - Advertisements

- No part of the sign hereby permitted, shall encroach upon the adjacent highway [and / or Public Right of Way].
- The means of illumination shall not be of a flashing or intermittent kind with the light source screened so as not to be visible from the adjacent highway[s] [and / or Public Rights of Way].
- A minimum vertical clearance of 2.4m from the highway surface to the lower surface of the projecting / overhanging sign shall be provided.

- 5.6. Advertisements that overhang / project over the highway **may only** be acceptable subject to the following: -
  - A minimum vertical clearance of 2.4m from footway and / or Public Footpath surface, to the underside of the sign, is available.
  - The sign would not overhang or project over Bridleways or Byways
  - A minimum lateral clearance of 0.45m from the carriageway edge
- 5.7. Subject to the criteria in 5.6 above, if advertisement consent is given, a license under Section 177 of the Highways Act 1980 is required from the Local Highway Authority prior to the installation of any overhanging sign that has Advertisement Consent.
- 5.8. The following Informatory Note **should always** be attached to any advert consent involving an overhanging sign.

### Informatory Note – Overhanging Advertisements

- The applicant's attention is drawn to the requirement for a License from the local highway authority under Section 177 of the Highways Act 1980 for the permitted overhanging sign. This advertisement consent does not give or imply such local highway authority consent.

## 6. GENERAL ADVICE AND MISCELLANEOUS MINOR APPLICATIONS

### 6.1. Highway Infrastructure Improvements

- 6.1.1. If the Planning Authority Officer notes, on their site visit, that existing footway facilities linking or fronting a development are discontinuous, absent, narrow, (less than 1.8m wide) etc., then the matter should be discussed with the Northamptonshire Highways Officer. In such circumstances it is likely that highway improvements by way of footway provision and informal pedestrian crossing facilities with tactile paving may be required.

### 6.2. Floodlighting

- 6.2.1. Any floodlights should be located and screened to ensure the source of illumination is not visible to any driver on any adjacent highway (including Public Rights of Way).

#### **Condition – Floodlighting**

- The means of illumination shall be screened so as not to be visible from the adjacent highway[s] or Public Right of Way.

### 6.3. Fences, railings, walls, windows and doors

- 6.3.1. It is an offence under Sections 152 and 153 of the Highways Act 1980 to have outward opening or protruding features that obstruct the highway. Ensuring such things are controlled at the planning stage is in the interests of highway safety, the developer and future residents.
- 6.3.2. Any proposed boundary enclosure whether fixed (a wall or fence etc.) or movable (a gate or gates, door etc.) should not interfere with visibility between vehicles or between vehicles and pedestrians. No gate, barrier or bar shall be positioned or hung so as to open outwards over the public highway.
- 6.3.3. In general, only ground floor doors and windows may be affected. However a minimum vertical clearance of 2.4m is required to any first floor opening windows. As such, any development that may result in the provision of additional ground floor doors and windows, including the replacement of existing ground floor doors and windows and / or where first floor windows are within 2.4m vertical clearance of a highway should be restricted by condition such that they do not open over the highway or Public rights of Way. The following condition should be imposed on such permissions.

#### **Condition – Ground Floor Doors and Windows**

- Any ground floor doors [and / or windows] shall be hung so as not to open outwards over the highway[s] or Public Rights of Way.

- 6.3.4. This may also apply to some Listed Building or Conservation Area Consent applications where full Planning Applications are not required.
- 6.3.5. Any application that proposes new or replacement thatching should ensure that any existing clearance between the thatch and a highway is maintained, (vertical and horizontal).

## 6.4. Development Affecting Rights of Way – General Advice

- 6.4.1. Any development that crosses or affects a Public Right of Way, (PRoW) in the following ways must be referred to the Local Highway Authority.
- a) Where a PRoW falls within the red line boundary of a site and will be obstructed by the development.
  - b) Where a PRoW crosses the footprint of a proposed building / development.
  - c) Where a PRoW would be, is used for, or is crossed by access roads to the site
  - d) Where any improvements such as re-surfacing, new structures and signs are proposed.
  - e) Where the route of the PRoW is to be altered.
- 6.4.2. Public Rights of Way are protected by law. The grant of planning consent does not give or imply any rights to obstruct, divert, stop up or extinguish Public Rights.
- 6.4.3. Public Rights of Way are shown on the “*Definitive Map and Statement*” which is managed and maintained by the Local Highway Authority, (See Section 7 for contact details). The Definitive Map and Statement is reviewed and re-printed every five years, a statutory requirement under Wildlife and Countryside Act 1981. The next revision for the Definitive Map is to be published at the end of 2015. Local Planning Authorities have copies of the current Definitive Map and Statement 2010 for planning purposes.
- 6.4.4. The Definitive Map and Statement is legitimate proof that public rights exist. However, the omission of a route does not imply that public rights do not exist.
- 6.4.5. Where a development site has a PRoW running through it, the default position the Local Highway Authority will adopt, is that it must remain on its existing alignment and where possible should be enhanced in terms of its width, surfacing and where appropriate lighting with, prior consent of the Local Highway Authority.
- 6.4.6. Where an alternative route creates a more direct, greater surveyed and / or wider route, this should be discussed with the Local Highway Authority.
- 6.4.7. If consent is granted for a development that requires the Diversion and / or Stopping Up by way of extinguishment, then legal Orders must be processed under Section 257 of the Town and Country Planning Act 1990 (As amended) by the Local District or Borough Council **and not** the Local Highway Authority.
- 6.4.8. The written permission of the Land Owner(s) affected by or abutting the existing and proposed routes must be obtained. All costs associated with such Orders fall to the developer of the site in question. In addition, the Definitive Map and Statement must also be amended for which costs apply.
- 6.4.9. Subject to the above, for a diversion of a Public Right of Way to be considered under the Town and Country Planning Act 1990 (As amended), it needs to happen prior to the substantial completion of the development, (as a test is whether the diversion is necessary to implement the development) otherwise it is assessed under the Highways Act 1980.

- 6.4.10. If a planning consent is dependent upon the diversion of a PRow and Orders are confirmed then, the diverted route **must** be provided before the existing route is affected in any way.
- 6.4.11. Failure to do so can invalidate the Diversion. If an existing PRow crosses a new estate street, the affected length between the limits of the new / proposed estate street should be extinguished by way of an Order under the Town and Country Planning Act 1990 and Modification of the Definitive Map. Such an Order cannot be processed or confirmed / certified until the new estate street is adopted by the Local Highway Authority.
- 6.4.12. The Local Highway Authority has the powers under Section 130 Highways Act 1980 to remove an obstruction from a PRow, this includes a building. Section 143 requires the removal of a structure or other obstruction from a PRow.
- 6.4.13. To address the issues raised above, the following Informative Notes can be considered:

**Informatory Note – Public Rights of Way Diversion**

The applicant's attention is drawn to the presence of an existing Public Right of Way. No works of any kind to the Public Right of Way may commence without the prior written permission of the local highway authority and land owner. Such permission may be subject to the processing and confirmation of Diversion Orders administered by the local District or Borough Council under the Town and Country Planning Act 1990 (as Amended). The written permission of existing and abutting landowner(s) affected by any such diversion is required. Further the existing route may not be affected in any way, obstructed or closed until the alternative route is completed in accordance with the planning permission and is available for use.

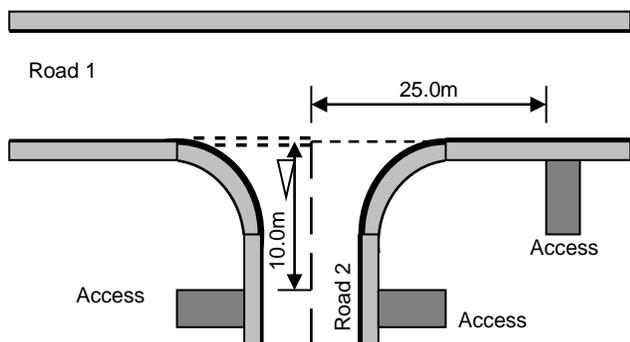
## 7. REFERENCES

- 7.1. Town and Country Planning (Development Management Procedure) (England) Order 2015
- 7.2. The Town and Country Planning (Control of Advertisement) (England) Regulations 2007
- 7.3. Building Regulations
- Part B (Fire Safety)
  - Part H (Drainage and Waste Disposal)
  - Part M (Access to and Use of Buildings)
- [www.planningportal.gov.uk/buildingregulations/approveddocuments/](http://www.planningportal.gov.uk/buildingregulations/approveddocuments/)
- 7.4. DfT – Department for Transport - [www.DfT.gov.uk](http://www.DfT.gov.uk)
- 7.5. DMRB – Design Manual for Roads and Bridges
- TD 41/95 “*The Effects of Providing Vehicular Access*”
  - TA 22/81 “*Vehicle Speed Measurement along All Purpose Roads*”
  - TA 57/87 “*Roadside Features*”
- [www.standardsforhighways.co.uk/dmrb](http://www.standardsforhighways.co.uk/dmrb) or [www.tap.iht.org](http://www.tap.iht.org)
- 7.6. Life Time Homes - [www.lifetimehomes.org.uk](http://www.lifetimehomes.org.uk)
- 7.7. “*Manual for Streets*” - March 2007 – [www.gov.uk/government/publications/manual-for-streets](http://www.gov.uk/government/publications/manual-for-streets)
- 7.8. “*Manual for Streets 2 Wider Application of the Principles*” - [www.ciht.org.uk](http://www.ciht.org.uk)
- 7.9. NRSWA – New Roads and Street Works Act 1991  
[www.opsi.gov.uk/acts/acts1991/Ukpga\\_19910022\\_en\\_1.htm](http://www.opsi.gov.uk/acts/acts1991/Ukpga_19910022_en_1.htm)
- 7.10. “Northamptonshire Highway Development Management Strategy” A thematic Transport strategy within the Northamptonshire Transport Plan.  
[www3.northamptonshire.gov.uk/councilservices/northamptonshire-highways/transport-plans-and-policies/Pages/local-transport-plan.aspx](http://www3.northamptonshire.gov.uk/councilservices/northamptonshire-highways/transport-plans-and-policies/Pages/local-transport-plan.aspx)
- 7.11. “*Fire and Rescue Pre-Application Advice*” - [www.northantsfire.org.uk](http://www.northantsfire.org.uk)
- 7.12. Rights of Way - Definitive Map  
Northamptonshire Highways  
Riverside House, Riverside Way  
Northampton,  
NN1 5NX  
Email: [Defmap@kierwsp.co.uk](mailto:Defmap@kierwsp.co.uk)



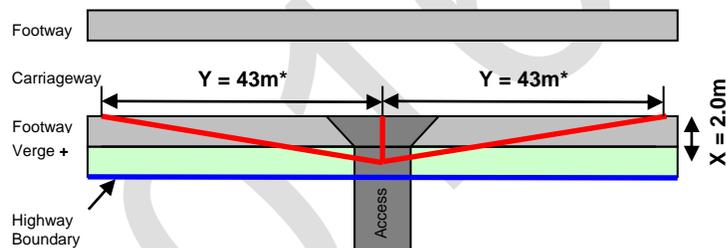
# Northamptonshire County Council Local Highway Authority Standing Advice TYPICAL ACCESS LAYOUTS

Figure 1



Proximity to a Junction

Figure 2

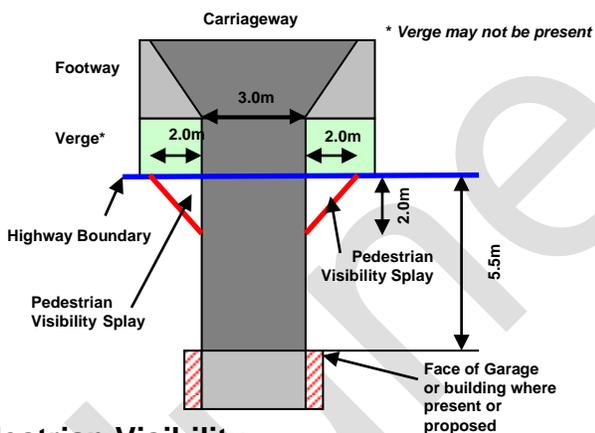


+ Verge may not be present  
\* See also Manual for Streets

Default for up to 5 dwellings X = 2.0m  
Default for all 30mph Roads Y = 43m\*

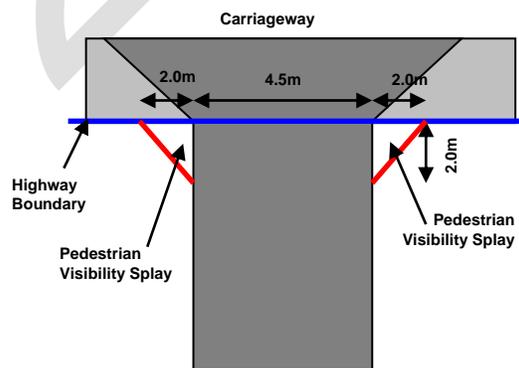
Vehicular Visibility Splays

Figure 3



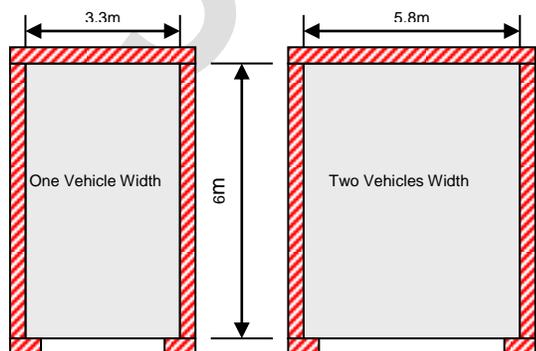
Pedestrian Visibility  
Single Private Drive – No Turning

Figure 4



Pedestrian Visibility  
Shared Private Drive with Turning

Figure 5



Parking spaces surrounded by walls etc.



**Northamptonshire County Council  
Local Highway Authority Standing Advice  
Consultation Content and Checklist**

<b>Consultation Content</b>	<b>Access Checklist</b>
<b>The Consultation Letter or email</b>	<b>Proximity to a junction</b> (See Figure 1)
<b>The Application Forms</b>	<b>Access width: -</b> <ul style="list-style-type: none"> <li>• Single 3.0m (or 3.3m with pedestrian access)</li> <li>• Shared 4.5m for 10.0m (2-5 dwellings)</li> </ul>
<b>The Site Location / Site Boundary plan</b>	<b>Pedestrian visibility</b> <ul style="list-style-type: none"> <li>• 2.0m x 2.0m</li> </ul> (See Figures 3 and 4)
<b>The Design and Access Statement</b>	<b>Vehicular visibility 2.0m x "Y"</b> (See Figure 2) Default "Y" = 43m for 30mph Limit
<b>Block Plan or ground floor details</b>	<b>Gradient</b> for the first 5m from the highway boundary (max 1 in 15)
<b>Any details submitted that show access</b>	<b>Clearance to garages</b> (Min 5.5m - See Figure 5)
<b>Notes:-</b>	<b>Turning facilities</b> Desirable for single, Required for shared accesses
<b>1</b> Submission of the above should not imply sufficient or adequate information has been submitted to enable the Local Highway Authority to fully consider and respond to an Application.	<b>Drainage</b> Measures to stop water flowing onto the Highway
<b>2</b> The Local Highway Authority reserves the right to request additional documentation and information prior to determining its view upon an Application.	<b>Length</b> from the highway boundary (max 45m - Check with Building Regulations)
<b>3</b> Planning Authority Officers may consult the Local Highway Authority informally at any time.	<b>Multiple access</b> (Not allowed)
<b>4</b> If the Planning Authority Officer considers an Application falling within the scope of Standing Advice should be refused, the advice of the Northamptonshire Highways Officer should be sought initially at an informal level. If the Northamptonshire Highways Officer considers that a refusal is justified, formal advice would be given.	<b>Surfacing</b> (Hard paved, No Gravel)
	<b>Gates</b> (inwards opening - set back)
	<b>Reinstatement of existing access</b>
	<b>Construction and Licencing</b> (S184 Highways Act 1980) Note: - No works may commence within the Highway without the express written consent of the Local Highway Authority.



**Northamptonshire County Council**  
**LOCAL HIGHWAY AUTHORITY STANDING ADVICE**  
**STANDARD ACCESS CONDITIONS AND INFORMATIVE NOTES Page 1 of 3**

**Reasons should refer to applicable Development Plan Policies relating to Highway Safety**

**Condition - Proximity to a Junction (Section 4.3)**

- The means of vehicular access hereby permitted, shall at no point be less than 10.0m from the give way line of the adjacent junction [or Byway].
- The means of vehicular access hereby permitted, shall at no point be less than 25.0m from the centre of the adjacent junction [or Byway].

**Condition - Single Dwelling Access [Combined Condition covers surfacing and gradient as well] (Section 4.4)**

- Prior to first use or occupation of the development hereby permitted, the means of access shall be of a minimum width of [3.0m\* or 3.3\*] [and shall be paved with a hard bound surface for the first 5m from the highway boundary such surfacing shall thereafter be retained\*\*]. [The maximum gradient over the 5m distance shall not exceed 1 in 15\*\*\*].  
*\*only state appropriate dimension see 4.4.1 and 4.4.2 above*  
*\*\*to be included where surfacing is not confirmed or shown as loose material, on submitted plans.*  
*\*\*\*to be included where gradients are not confirmed, on submitted plans.*

**Condition - Shared Private Drives [Combined Condition covers surfacing and gradient as well] (Section 4.4)**

- Prior to first use or occupation of the development hereby permitted, the means of vehicular access shall be of (or widened to) a minimum width of 4.5m for the first 10.0m from the Highway Boundary. [That area shall be paved with a hard bound surface for the first 5m from the highway boundary such surfacing shall thereafter be retained\*]. [The maximum gradient over the 5m distance shall not exceed 1 in 15\*\*].  
*\*to be included where surfacing is not confirmed or shown as loose material, on submitted plans.*  
*\*\*to be included where gradients are not confirmed, on submitted plans.*

**Condition - Vehicle to Vehicle Visibility (Section 4.5)**

- Prior to first use or occupation of the development hereby permitted, vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m\* measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.  
*\* This dimension may be reduced subject to the receipt of a vehicle speed survey proving the 85%ile speeds are less than 30mph.*

**Condition - Vehicle to Pedestrian Visibility (Section 4.6)**

- Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.



**Northamptonshire County Council**  
**LOCAL HIGHWAY AUTHORITY STANDING ADVICE**  
**STANDARD ACCESS CONDITIONS AND INFORMATIVE NOTES Page 2 of 3**

**Condition - Garage Face Set Back (Section 4.7)**

- The front face of the garage shall be set back a minimum of 5.5m from the highway boundary and shall thereafter be retained.

**Condition - Car Ports kept Clear of Obstruction (Section 4.7)**

- The front face of the car port shall be retained at all times clear of any door, barrier, bar, gate or other such means of enclosure.

**Condition - Parking and Turning (Section 4.9)**

- Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall not be provided other than in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

**Condition – Access Gradient (Section 4.11)**

- The vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.

**Condition - Drainage (Section 4.12)**

- Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access [or private land] does not discharge onto the highway [and / or Public Right of Way] shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.

**Condition – Access Surfacing (Section 4.13)**

- Prior to commencement of the development hereby permitted, details of the hard bound surfacing of the vehicular access shall be submitted to and shall be approved in writing by the local planning authority. The access shall thereafter be completed in accordance with the approved details prior to the first use of the access and maintained as such.

*Reason:*

- Should also refer to refer to Development Plan policies regarding Residential Amenity.

**Condition - Gates (Section 4.15)**

- Any gates at the point of vehicular access to the development shall be hung to open away from the highway [and Public Right of Way]

**Condition - No gates (Section 4.15)**

- No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.
- No gates, barrier or means of enclosure shall be erected so as to obstruct a Public Right of Way



**Northamptonshire County Council  
LOCAL HIGHWAY AUTHORITY STANDING ADVICE  
STANDARD ACCESS CONDITIONS AND INFORMATIVE NOTES Page 3 of 3**

**Condition - Removal of Existing Access (Section 4.16)**

- Prior to the first use of the new access hereby permitted, any existing access made redundant by this permission shall be removed with the area reinstated in accordance details that shall first have been submitted to and be approved in writing by the local planning authority..

**Condition – Control of mud on the Highway (Section 4.18)**

- Prior to the commencement of the development hereby permitted, details of measures to ensure that mud and other such loose material do not migrate onto the highway shall be submitted to and shall be approved in writing by the local planning authority. Such measures as may be approved shall thereafter be implemented and maintained for the duration of the construction period.

**Informatory Note – Structures abutting or supporting a highway (Section 4.17)**

- The applicant's attention is drawn to the requirement to obtain the express written agreement from the local highway authority for any structure that would retain the highway or would retain land abutting or adjacent to a highway. The local highway authority requires full engineering and structural details, Approval In Principle (AIP) documentation etc. All costs associated with any agreement, licence and structural design checks and approvals by the local highway authority shall be met by the developer.

**Informatory Note - Works affecting existing highways - (Section 4.18)**

- The applicant's attention is drawn to the fact that no works may commence within the existing highway without the express written permission of the local highway authority. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any works within the highway shall comply with the local highway authority's standards and specifications.

And / Or

**Informatory Note - Works affecting Public Rights of Ways (Section 4.18)**

- The applicant's attention is drawn to the fact that no works may commence within the existing Public Right of Way, (PRoW) without the express written permission of the local highway authority and landowner. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any construction or improvements works on a new or existing PRoW would require a temporary closure in the form of a Traffic Regulation Order in the interests of public safety. Any works within the PRoW shall comply with the local highway authority's standards and specifications.

**Informatory Note - Sewer Connections (Section 4.18)**

- The applicant's attention is drawn to the requirement that any new sewer connection required for this development within the highway will require a licence from the local highway authority under Section 50 of the New Roads and Street Works Act 1991.

**Informatory Note – Road Space (Section 4.18)**

- The applicant's attention is drawn to the Traffic Management Act 2004 where three month notice periods to allocate road space (for works within the highway) is required prior to the commencement of works. Such notice can not be submitted or commence until the completion of an appropriate license or Agreement with the local highway authority.



## Northamptonshire County Council

### LOCAL HIGHWAY AUTHORITY STANDING ADVICE STANDARD ADVERTISEMENT AND MISCELLANEOUS CONDITIONS AND INFORMATIVE NOTES

#### Advertising Conditions (Section 5.5)

- No part of the sign hereby permitted, shall encroach upon the adjacent highway or Public Right of Way.
- The means of illumination shall not be of a flashing or intermittent kind with the light source screened so as not to be visible from the adjacent highway[s] or Public Rights of Way.
- A minimum vertical clearance of 2.4m from the highway surface to the lower surface of the projecting / overhanging sign shall be provided.

#### Advertising Informatory Notes (Section 5.8)

- The Applicant's attention is drawn to the requirement for a Licence from the local highway authority under Section 177 of the highways Act 1980 for the permitted overhanging sign. This advertisement consent does not give or imply such local highway authority consent.

#### Condition - Floodlighting (Section 6.2)

- The means of illumination shall be screened so as not to be visible from the adjacent highway[s] or Public Rights of Way.

#### Condition – Ground floor Doors and Windows (Section 6.3)

- Any ground floor doors [and / or windows] shall be hung so as not to open outwards over the highway[s] or Public Rights of Way.

#### Informatory Note – Public Rights of Way Diversion (Section 6.4)

- The applicant's attention is drawn to the presence of an existing Public Right of Way. No works of any kind to the Public Right of Way may commence without the prior written permission of the local highway authority. Such permission may be subject to the processing and confirmation of Diversion Orders administered by the local District or Borough Council under the Town and Country Planning Act 1990 (as Amended). The written permission of existing and abutting landowner(s) affected by any such diversion is required. Further the existing route may not be affected in any way, obstructed or closed until the alternative route is completed in accordance with the planning permission and is available for use.



Northamptonshire County Council  
Local Highway Authority Standing Advice  
**CONSULTATION PROTOCOL**

