

Highways, transportation and development

Part 1: Introduction

Section IN1: Document status

1.1 This document was adopted as Leicestershire County Council policy by the December 2007 meeting of the full County Council. It was adopted as Leicester City Council policy with effect from 1st January 2008. Derbyshire County Council has adopted this document as interim guidance with effect from 31st January 2008. Nottinghamshire County Council adopted the document on the 1st April 2009.

Section IN2: Our responsibilities

1.2 We, the County Councils and City Council, are the highway authorities for the areas shown in Figure IN1. The unitary authorities of Rutland, Derby City and Nottingham City fulfill this role in their respective areas.

Note: This is the first version of Htd to be jointly used by Leicestershire, Leicester City, Derbyshire and Nottinghamshire Councils. All references to 'us', 'we', 'our' and so on means Leicestershire County, Leicester City and Derbyshire and Nottinghamshire County Council unless otherwise indicated. However, you will still need to contact Leicestershire County Council officers to discuss highway issues in the area for which it is responsible and likewise Leicester City and Derbyshire County officers if you have any questions about highway matters relating to developments in their respective areas.

Figure IN1 Highway authority areas and contact details



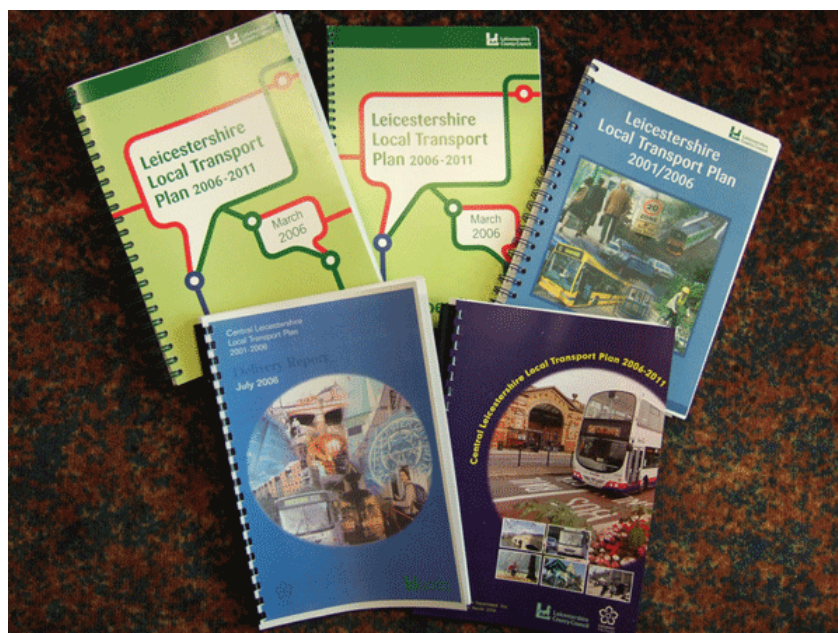
1.3 Please see [Part 7, appendix A](#) for planning authority contact details.

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Leicestershire County Council

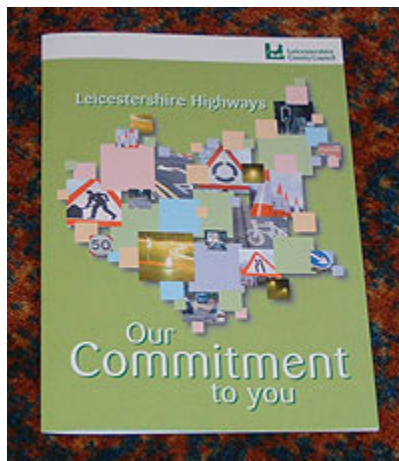
1.4 Leicestershire County Council is responsible for a range of highways and transport issues including:

- all publicly-maintained highways in Leicestershire except for the M1, M6, M42, M69 motorways, and the A1, A5, A42, A50 west of M1 Junction 24 and A52 which are the responsibility of the Highways Agency (see [Section IN5](#)). (Note: Please see our ['Highways Status Search'](#) page for details of which existing roads are adopted);
- providing socially-necessary local bus services, publishing bus and bus information strategies and promoting high-quality rural and urban services that encourage greater use of public transport; and
- preparing the Leicestershire [Local Transport Plan](#) and together with Leicester City Council preparing the Central Leicestershire Local Transport Plan.
 - The objectives of the Leicestershire Transport Plan 2006 - 2011 are
 - tackling congestion;
 - improving access to facilities (including employment, education, healthcare and food shopping);
 - reducing road casualties;
 - improving air quality in traffic-related air quality management areas;
 - reducing the impact of traffic on local communities, near schools and within town centres; and
 - managing transport assets in the most cost-effective way.
 - The key objectives of the Central Leicestershire Transport Plan 2006 - 2011 are:
 - tackling congestion;
 - delivering accessibility;
 - safer roads;
 - better air quality;
 - better road, footway and cycleway conditions; and
 - with an overarching objective of Quality of Life for All.



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Our charter document '[Leicestershire Highways Our Commitment to you](#)' provides further details on the highway services that we deliver.



Our Department of Highways, Transportation and Waste Management deals with those roads we are responsible for. Within that department, the Transport Planning (TP) Group is responsible for considering how development proposals will affect the highways and transportation infrastructure. It deals with all highways and transportation matters, including:

- discussions with developers before they submit planning applications;
- making recommendations on applications (highway observations) to planning authorities;
- construction and [adopting](#) works for new development;
- [commuted sums](#); and
- travel plans.

The Department works closely with other departments within the County Council and we often work with the City Council on development proposals which will have a major impact on both County and City roads. You should contact the TP group if you want to discuss highways and transportation aspects of a development proposal. You can find contact details in [Part 7, appendix A](#).

Leicester City Council

1.5 Leicester City Council is responsible for a range of highways and transport issues, including

- all publicly-maintained highways in the City of Leicester; and
- preparing the Central Leicestershire Local Transport Plan 2006 - 2011 together with the County Council.

The City Council's Regeneration, Highways and Transportation Division deals with those roads we are responsible for. Within this Division, the Transport Strategy Section is responsible for considering how development proposals will affect the City's highways and transportation infrastructure. It deals with all highways and transportation matters, including:

- discussions with developers before they submit planning applications;
- making recommendations on applications (highway observations) to planning authorities;
- adopting roads in new development;
- travel plans; and
- [commuted sums](#)

The Section works closely with other departments within the City Council and we often work with the County Council on development proposals which will have a major impact on both City and County roads. You should contact the Transport Strategy Section if you want to discuss highways and transportation aspects of a development proposal in the City. You can find contact details in [Part 7, appendix A](#).

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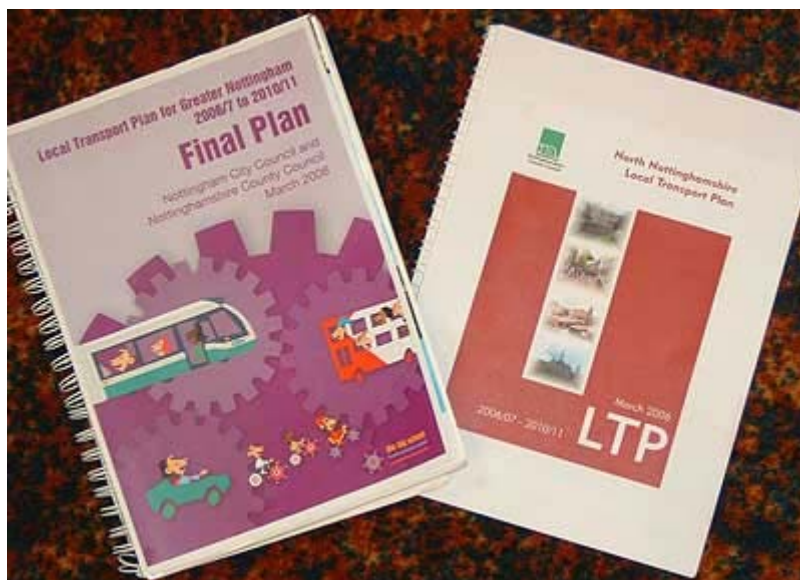
Derbyshire County Council

Please refer to www.derbyshire.gov.uk/transport for details of our roles and responsibilities.

Nottinghamshire County Council

Nottinghamshire County Council is responsible for a range of highways and transport issues including:

- all publicly-maintained highways in the county except for the M1 motorway, and the A1, A46, A453, and A52 which are the responsibility of the Highways Agency (see [Section IN5](#)). (Note: Adopted Road Search).
- providing socially-necessary local bus services, publishing bus and bus information strategies and promoting high-quality rural and urban services that encourage greater use of public transport; and
- preparing the North Nottinghamshire [Local Transport Plan](#) and together with Nottingham City Council preparing the Greater Nottingham Local Transport Plan.
 - The objectives of the Local Transport Plan 2006 - 2011 are
 - tackling congestion;
 - improving access to facilities (including employment, education, healthcare and food shopping);
 - reducing road casualties;
 - improving air quality;
 - regeneration of local and district centres;
 - quality of life, including reducing the impact of traffic on local communities, near schools and within town centres; and
 - managing transport assets in the most cost-effective way.



Our Communities Department deals with those roads we are responsible for. Within that department, issues relating to either transport or planning and how development proposals will affect the highways and transportation infrastructure are dealt with between Highways and Planning & Sustainability Divisions. The former of these largely provides the delivery, whilst the latter provides the strategy and direction. One specific group “Local Transport Plans and Programmes” within Planning & Sustainability deals with all strategic highways and transportation matters, including:

Development Control;

- discussions with developers before they submit planning applications;

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- making recommendations on applications (highway observations) to planning authorities;
- [adopting](#) works for new development; and
- [commuted sums](#).

Transport and Environmental Programmes

- project management of significant and major schemes;
- delivery of environmental improvement schemes; and
- partnership working.

Local Transport Plans

- transport strategy review;
- production of LTPs and delivery reports;
- development of local transport schemes; and
- travel plans.

The Divisions works closely with other divisions and departments within the County Council and we often work with the City Council on development proposals which will have a major impact on both County and City roads. You should contact the Development Control team if you want to discuss highways and transportation aspects of a development proposal. You can find contact details in xxxx.

Section IN3: About this document

Background

1.6 'Highways, transportation and development' (Htd) replaces the original publication Highway Requirements for Development, which applied in Leicestershire and Leicester City; Derbyshire County Council's publication Roads in Housing; and Nottinghamshire County Council's publication The Highway Design Guide 1999. This is an interim version, published to ensure that Htd reflects latest national guidance pending a more comprehensive review. It:

- reflects the Government's most recent planning policy and guidance, particularly [PPS3](#), and its companion guide '[Better places to live by design](#)', and the [Manual for Streets](#) (MfS)*, as well as [PPG13](#).
- reflects initiatives that continue to emerge as a result of the publication of research reports '[Paving the Way](#)' and '[Better Streets, Better Places](#)' (a research project that we took part in, see paragraph 1.7).
- reflects the [Guidance on Transport Assessments](#) published by the Department for Communities and Local Government; and
- is supported by local policies and strategies, including the [Local Transport Plan](#).

*Following publication of the MfS, we are conducting a two stage review of Htd. This version reflects the outcomes of stage one of our review. Further changes are likely to be made in response to the MfS in stage two of the review, although this has yet to be timetabled.

1.7 Htd was originally prepared by Leicestershire County Council after consulting widely with others. This included:

- carrying out initial 'fact-finding' consultations with a wide range of public and private bodies to seek views on 'Highways Requirements for Development' document;
- carrying out a survey of around 2900 Leicestershire households in developments laid out in line with the standards contained in the 'Highway Requirements for Development' document;
- actively taking part in the Office of the Deputy Prime Minister's research projects '[PPG3](#) and Highway Adoption Procedures' (which resulted in publication of '[Better Streets, Better Places](#)') and on residential parking; and in the Government's national project on commuted sums

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- consultations with other highway authorities in the region, both directly and through the East Midlands Development Control Forum and Midlands Service Improvement Group;
- organising specific regional meetings on [commuted sums](#) for future maintenance and on shared-surface roads and Home Zones; and
- holding a six-week consultation covering around 150 public and private bodies, including all Leicestershire planning authorities and many development companies.

1.8 Please see [Part 7, appendix B](#) for further details of all the above.

Our general approach

1.9 'Highway Requirements for Development' (LCC and Leicester City) Roads in Housing (DCC) and The Highway Design Guide (NCC) offered developers a clear, structured approach to highway design. But there is now a move towards:

- developments with more individuality and less of a 'one size fits all' approach;
- developments that better reflect and respect local character, for example in terms of layout and architecture;
- developments that better provide for local needs, for example in terms of the shopping or play facilities that they provide;
- higher-quality developments that enhance their surroundings and provide a safe, accessible and attractive environment in which to live, work and play.

1.10 Guidance that contains too many unnecessary rules and directions can inhibit innovation for residential layouts and frustrate the principles of PPS3 housing. It is important that new developments reflect local character and distinctiveness. So, this document will provide you with greater flexibility. In line with our general policies and objectives, it sets out guidance on a range of design elements, materials and landscaping that you can select when you are putting together your development proposals. It also offers flexibility so new or unusual design elements or materials not covered by the guidance can be considered.

1.11 However, this approach places greater onus on you to demonstrate that your proposals will operate safely and satisfactorily and meet our policies and objectives because you will not be sticking to a rigid set of guidelines.

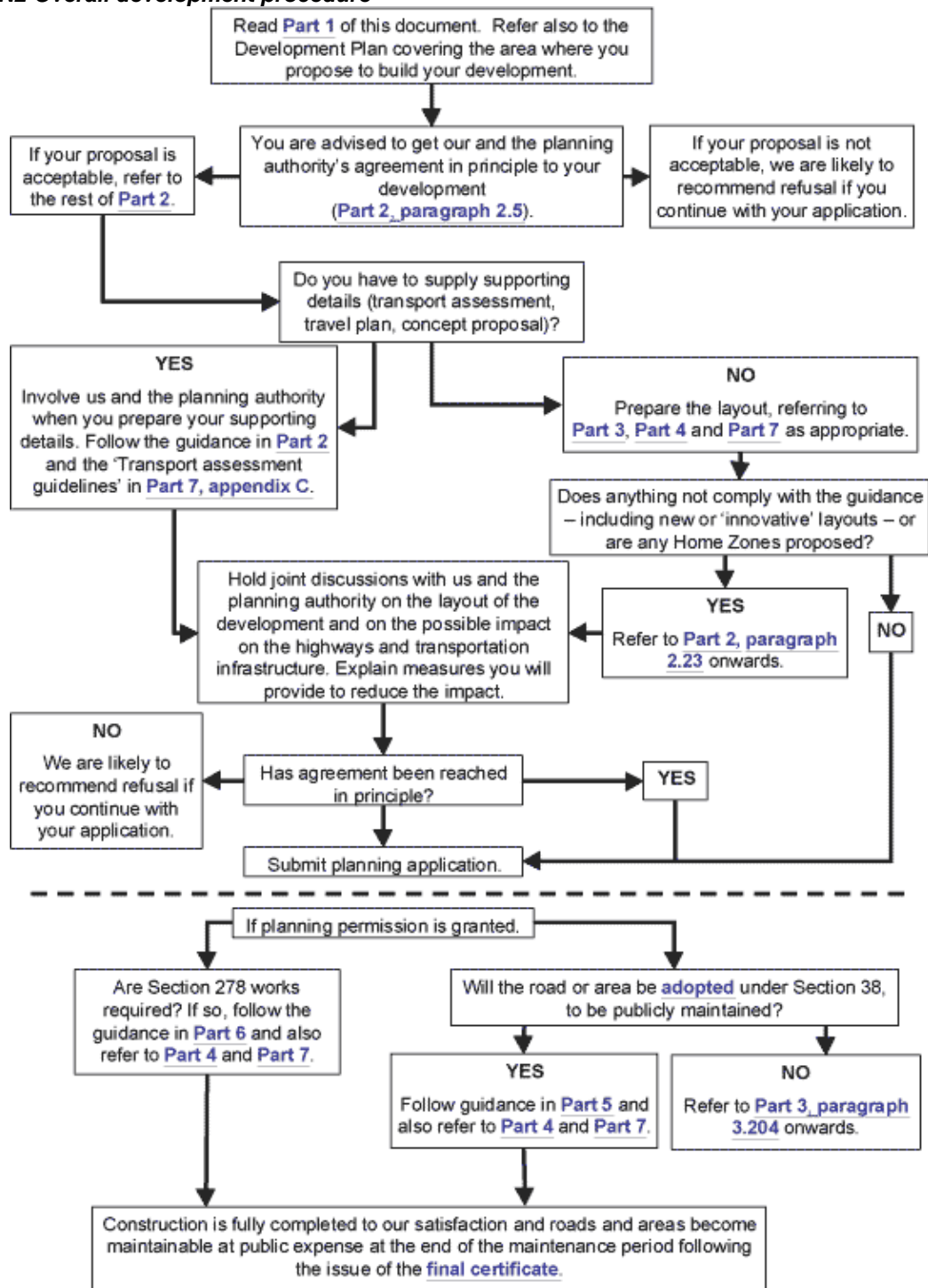
1.12 We recognise that you may need to carry out more detailed investigations at the pre-planning application stage. But the guidance and procedures set out in this document are intended to help you to prepare your development proposals. And, if you can agree proposals both with us and the planning authority at the pre-application stage, this should save time taken during the planning application stage, the works' technical approval stage and the construction stage.

1.13 Figure IN2, below, shows how the various parts of this document relate to the overall development process, from initially considering the site through to completing works. You should follow it so your development proposals progress efficiently.

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Figure IN2 Overall development procedure



Note: Please contact County Council officers to discuss highway issues in the area for which it is responsible and Leicester City Council officers if you have any questions about highway matters relating to developments in the City. Similarly, please contact Derbyshire and Nottinghamshire officers regarding processes and procedures in their areas.

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Applying the guidance

1.14 The guidance in this document applies to:

- roads (streets) in residential areas or; areas of mixed residential / local facilities as defined in [appendix L](#) and roads serving employment and commercial developments

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- the overall development concept in terms of site access and highways and transportation impacts;
- areas to be [adopted](#) as publicly-maintained highways;
- the safety, ease of access to, and future maintenance responsibilities of areas not for adoption; and
- impacts of new developments on existing highways and transportation infrastructure.

1.15 We recognise that due to conditions at a site it may sometimes be difficult to comply with the guidance, particularly on urban, [brownfield sites](#). We also recognise that the Government and planning authorities are encouraging new, innovative residential layouts that reflect local character while providing for more houses.

1.16 So, if you present an acceptable case with supporting evidence that explains why you are proposing a layout that is not explicitly covered by these guidelines, we will consider it if:

- the proposals meet the overall [policies and objectives](#) set out in this document (refer to [Section IN4](#) onwards);
- also meet any other policies and objectives of the relevant highway authority;
- you approach both us and the planning authority for early joint discussions, to make sure that we can consider matters before you prepare any layout proposals; and
- you supply a concept proposal and full supporting details in line with [Part 2](#) of this document, and in particular [paragraphs 2.17](#) onwards.

1.17 You must start thinking about and preparing the required details as soon as possible, and certainly before you submit a planning application. Otherwise, even if the development is granted planning permission, there is no guarantee that we will agree to [adopt](#) any roads or areas.

1.18 When you prepare the required details, you should work closely both with us and the planning authority. You are likely to find that planning authorities will not favour developments that lack quality layout and design.

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Developing the document

1.19 Long-term experience of reduced off-street parking, Home Zones and 'innovative' (unusual) residential developments is limited. There is still much to learn about:

- public opinion of these concepts;
- how safely the layouts will operate; and
- how easily they can be maintained.

What evidence there is suggests there have been some successes, but problems have been identified too, for example, in achieving low vehicle speeds in Home Zones and residents' concerns about on-street parking.

1.20 There are also still issues relating to national guidance on the design of residential streets, for example in terms of shared surfaces and providing for those with disabilities. Guidance can also be contradictory, for example, on how many dwellings can be served by a Home Zone.

1.21 To try and address some of these issues, we will continue to work with other highway authorities, planning authorities and developers to share, learn and develop good practice. We will also try to take part in any national research that is carried out.

1.22 If you have examples of what you consider to be good practice that you are willing to share, please send us details either by e-mail to HTD@leics.gov.uk or by post to Leicestershire County Council, Transportation Planning Group at the address given in the contact details in [Part 7, appendix A](#).*[needs updating]

* Leicestershire County Council, working in partnership with the other authorities, is currently responsible for the on-going maintenance of the document, including coordination of examples and user comments.

1.23 We will regularly review this document to make sure that it:

- contains no errors or omissions;
- reflects good practice, operational experiences, national research and policy initiatives, and
- reflects any other relevant changes in circumstances.

If you have any comments about how we can improve Htd, please let us know by filling in the form at [Appendix K](#). We will consider your comments as part of our next review. You can find details of our review process at [Appendix K](#).*

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* Leicestershire County Council are currently responsible for the on-going maintenance of the document, including coordination of examples and user comments.

Section IN4: Our highways development control policy

1.24 We will work with developers and planning authorities to make sure new development is only permitted:

- in areas where there is a choice of safe and accessible methods of transport for all road users (including pedestrians and cyclists);
- on roads suitable for the type of development; and
- if the environment is not harmed, including through increased congestion.

1.25 Any highway or transport infrastructure required to support the development must integrate with the existing infrastructure and be built in a way that enhances the quality of a development and does not place a burden on our resources.

1.26 We aim to meet the following specific policy objectives.

- **Road and personal safety:** To achieve developments that:
 - are safe for all users;
 - promote road safety; and
 - reduce personal safety risks (whether real or imagined).
- **Accessibility:** To achieve developments accessible to all vehicles and people, including those with sensory and mobility impairments.
- **Sustainability:** To promote sustainable, high-quality alternatives to the private car and to encourage using sustainable materials wherever possible.
- **The impact on highways and transportation infrastructure:** To make sure the:
 - highways and transportation infrastructure is not adversely affected by developments, including safety and congestion; and
 - impact on people and the environment is minimised.
- **Design quality and future maintenance:** To achieve highway and transportation infrastructure that:
 - contributes to high-quality developments that can be properly and efficiently maintained; and
 - encourages development layouts to be [adopted](#), wherever possible, to safeguard [frontagers](#) interests.

Whole-life costs should be considered when materials and methods of construction are considered.

- **Occupants' and users' satisfaction:** To achieve developments that are appreciated by occupants and users and that meet their likely needs. This will reduce the possibility of future complaints and problems, particularly in residential areas.

We will assess your development proposals against these objectives. Where we consider that your proposals have material implications, we will normally seek to resist your development proposals (for example, by recommending refusal of any planning application).

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Section IN5: Our access to the road network policy

Principles

1.27 To maintain safety and the free flow of traffic, policy in the past has discouraged new accesses onto A- and B-class roads and avoided increasing the use of existing accesses. For the future, and in line with an integrated transport policy, we will adopt a flexible policy on new connections to the road network. We will

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severely restrict access to the most important high-standard routes. Elsewhere, particularly in urban locations, in principle we will apply a more flexible approach. Please see [paragraph 1.29](#) onwards for full details.

1.28 Where access is acceptable to us in principle, we will normally expect its layout to comply with the [design guidance set out in Part 3](#). We will recommend refusal of any planning application that raises concerns about road safety. Approval for the access (and any associated development) will also depend on the planning authority where planning permission is required.

Access to A- and B-class roads

1.29 We will normally apply restrictions on new accesses for vehicles and the increased use of existing accesses on:

- roads with a speed limit above 40 mph (that is 50mph, 60mph or 70mph) or where measured vehicle speeds are in excess of 40mph;
- roads with a speed limit of 40mph or less which are essentially rural in nature;
- roads without street lighting;
- routes where the access would affect bus-corridor or bus-priority measures being put in place;
- roads that are at or near capacity (cannot carry more traffic); and
- roads where there is an existing problem with road safety.

1.30 Elsewhere, we will not normally restrict new accesses for vehicles, as long as they meet the conditions of [paragraph 1.28](#). Also, where a number of developments are proposed along a section of road, the risk of accidents occurring will be reduced if they are accessed from a service road with a single point of access on the main road.

1.31 If access to a development can be gained off a minor or side road, you should normally consider this option as preferable (with improvements to the junction of the minor side road with the main road as necessary).

Access to other classified roads and unclassified roads

1.32 New accesses for vehicles and the increased use of existing accesses will normally be restricted on:

- roads without street lighting;
- routes where there are proposals for bus-priority measures;
- roads where there is an existing problem with road safety;
- roads where there are proposals to establish quiet lanes; and
- other routes that are not suitable to carry the additional traffic and type of traffic from the development.

1.33 Elsewhere, new accesses for vehicles will not normally be restricted, if they meet the conditions of [paragraph 1.28](#). Also, if access to a development can be gained off a minor or side road, you should normally consider this option as preferable.

1.34 In rural areas, new accesses for vehicles and the increased use of existing accesses will not normally be resisted in principle to:

- land allocated for development in the local plan;
- agricultural land (that is remaining in agricultural use); and
- a new, better access to replace an existing one.

1.35 This is subject to the conditions in [paragraph 1.28](#).

Section IN6: About the Highways Agency

1.36 The Highways Agency, which is an agency of the [Department for Transport \(DfT\)](#), is responsible for the motorway and trunk road network in England. Its stated aim is "safe Roads, Reliable Journeys, Informed Travellers".

1.37 The Highways Agency has its own approach to considering the impacts of development proposals on roads it is responsible for. It also has its own requirements where it is necessary to alter or improve one of its roads to accommodate a development.

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1.38 If your development proposals require changes to a road the Highways Agency is responsible for, you will need to complete a legal agreement with the Agency before you can carry out the works. (This is in addition to any agreement that you might need to enter in to with us.)

1.39 Please see [Appendix A](#) for contact details for the Highways Agency.