

Correspondence to Blaby District Council with regard to works at Foston Road/Leicester Road development

Planning Application 25/0107/DOC, Land off Foston Road/Leicester Road Countesthorpe. Consultation on Reserved Matters

Further to your consultation on amended documents to the above planning application, Countesthorpe Parish Council would wish to submit the following:-

Countesthorpe Parish Council insists that no further works are carried out where there are outstanding conditions to be agreed as the works already completed were in breach of planning conditions.

Countesthorpe Parish Council is dismayed that so much of the works have been instigated prior to any planning permissions. It is noted that the applicant has already removed sections of existing hedging along Foston Road which were originally planned to be retained. Therefore, the revised drawings are to be considered retrospective. In fact, the applicant removed all the hedgerow prior to any approval by the District and County Councils. As a consequence, the Parish Council is worried that there might be little or no control over the works procedures to the Highway when constructing the roundabout. Overall, there is risk to the works to the site and the highways to be potentially substandard to what is required of planning permissions. This is a contributing factor as to why Countesthorpe Parish Council does not take up offers for the maintenance of open spaces for these sites.

It is the understanding of the Parish Council that a planning authority has the power to stop works to sites and therefore insists that this should be the case for this application.

The Parish Council notes from the small print on the document 25_0107_DOC Plan 3611151, the applicant indicates the hours of work being 8.00am to 18.00pm Monday to Fridays; 08.00am to 13.00pm Saturdays and there shall be no construction works at any time on Sundays or Bank Holidays. However, they are still proposing to access the site from 7.30am. Due to the applicant abusing the hours of work, it is understood that the District Council was not permitting access to the site until 08.00am to 18.00pm, etc as referred to here. Therefore, the Parish Council insists that this drawing is corrected. In fact, each time a new document is received there seems to be a lack of consistency. It is not clear yet from any of the drawings whether they relate to the final version of the roundabout design.

With regard to the Method Statement document, the Parish Council continues to receive complaints about equipment, in particular, generators, being left on overnight. There is also concern as to why construction vehicles would need to travel through the centre of Countesthorpe via Station Road. If the District Council could explain on behalf of the applicant, why there is a need for this. The Parish Council would be willing to meet with District Council officers to discuss the problems surrounding this site further. There have already been incidents of large lorries travelling to the site from the direction of Station Road which could not then manoeuvre safely through Central Street.

The Parish Council would like clarity on responsibilities for maintenance of the areas of open space at the boundaries between the development and the highway. It should be made clear between Leicestershire County Council and the developer the responsibilities for maintenance to avoid areas of unadopted land.

Please can a written response from the District Council be provided to the Parish Council in respect of the above concerns.

Thank you for your letter concerning the Foston Road, Countesthorpe Miller Homes development.

Hedgerow Removal

Highway Works



As for damage to existing infrastructure, please do log this with Leicestershire County Council [here](#).

This is stated on point 11 of the submitted Construction Method Statement:

Signage to this effect will be erected in appropriate locations on these roads subject to the approval of Leicestershire County Highway Authority.

If you observe of different routes taken, please let the Council know but naturally if there are incidents preventing this route to be taken will mean the occasional disruption to gain suitable access to the site. However I must advise that vehicles that have a Highway right can take alternative routes if required and we raise this with Miller Homes and seek their co-operation in speaking to the relative companies.

Generator Noise

Noise nuisance is a matter that falls under the jurisdiction of Environmental Health and therefore would encourage anyone impacted by this noise to log a case with the environmental health team at Blaby District Council. The link for this is [here](#). We will however make this known to Miller Homes again to see what can be done.

Open Space Maintenance

With regards the point about responsibilities for maintenance, any within the highway boundary will remain the responsibility of LCC as the Local Highway Authority. For any land owned by Miller Homes, the Section 106 requires the Owner to serve notice to BDC prior to first occupation to confirm whether the Owner wishes to maintain the On Site Public Open Space or offer to the Parish Council. They must maintain the on site open space for 12 months following completion of the works. They must also submit a Maintenance Scheme to BDC if they wish to retain the open space. Or if the Parish Council accept the offer made to them, it will be retained by them, or if is not accepted it shall be maintained by the Owner in accordance with the Maintenance Schedule or they appoint a Management Company to maintain it.

General Enforcement Guidance

There are indeed powers to stop the works through the issuing of various notices, however all enforcement action must be done in an expedient and appropriate manner, where mediation and alternative solutions are considered first.

In this instance, we have attempted to work hard with the applicant to seek compliance of the breaches including working hours and the removal of the hedgerow. On the first matter, I spoke with Miller Homes on Friday afternoon where I was advised that strict messages will be sent on to prevent working before they have prescribed in statements we have seen which is **8am**. There is some inconsistencies present in some the documents, but we are aware that 8am is the accepted time by all parties and will be looking at compliance of this at all times. Once we get all the documents aligned we will be able to discharge the condition relating to this.

Hope this clarifies matters for you.