

The Highways Officer is opposing our conversion, do we still have a chance?

We have received pre-application advice. Our local planning authority (LPA) was fully supportive of our proposed conversion of a redundant farm building, but the Highways department was not. During a site visit, the Highways officer suggested he would oppose the proposal, stating that the lane could not sustain any more dwellings. There are less than ten homes and there are nearly 30 passing bays on the mile-long stretch of lane. Do we stand a chance if we apply for full planning permission?

Highway authorities are statutory consultees. This means that the LPA will request a formal opinion on any application that may have highway or transportation implications. Highway authorities generally have three responses — support, object or no comment.

If Highways objects to a scheme it will report this to the LPA as part of the consultation process. In most cases the LPA will base its decision, in part, on the Highways' comments. Yet the LPA does have the power to make an alternate decision if other considerations outweigh the highway impact. For example, the LPA may favour the retention of this rural building if it was important to the character of the area.

Without knowing the specifics of the case it is hard to comment further, but my advice would be to make a formal pre-application submission to Highways in order to get a detailed written response of its position. I would then discuss this with the LPA to see whether it would still support the scheme. In turn, the LPA may request that you undertake some additional work to support your case. For example, a Transport Statement could be produced as part of your planning application to consider the current access arrangements and how this may be impacted by the scheme. In conclusion, you need to work closely with the LPA and Highways to reach a solution which works for all parties.