

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 24/01061/OUT

Highway Reference Number: 2024/1061/04/H

Application Address: Land North Of Barlestone Road Newbold Verdon Leicestershire

Application Type: Outline (with access)

Description of Application: Outline planning application (all matters reserved except vehicular access) for the erection of up to 240 residential dwellings (Use Class C3), retention of the existing accesses off Barlestone Road and the creation of new accesses off Barlestone Road, land safeguarded for a cemetery and a health centre (Use Class E(e)), public open space and associated infrastructure

GENERAL DETAILS

Planning Case Officer: Emma Baumber

Applicant: C/O Agent

County Councillor: Ross Hills

Parish: Newbold Verdon

Road Classification: Class B

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on the following planning application:

Outline planning application (all matters reserved except vehicular access) for the erection of up to 240 residential dwellings (Use Class C3), retention of the existing accesses off Barlestone Road and the creation of new accesses off Barlestone Road, land safeguarded for a cemetery and a health centre (Use Class E(e)), public open space and associated infrastructure.

The site is located at land north of Barlestone Road, Newbold Verdon.

The LHA has reviewed the following documents submitted by the Applicant in support of the proposals:

- Transport Assessment (Report Ref: 24832-TRAN-0803 Rev B, authored MEC and dated October 2024);
- Travel Plan (Report Ref: 24832-TRAN-0802 Rev B, authored by MEC and dated October 2024); and
- Pegasus Group drawing number P22-3085_DE_013_M_01 (Indicative Masterplan).

These observations make reference to the Leicestershire Highway Design Guide (LHDG) throughout. The LHDG can be found at <https://www.leicestershirehighwaydesignguide.uk/>.

The LHA undertook a site visit to the area on 10th January 2025.

Site Access

The Applicant has stated that currently, there are two points of access to the site off Barlestone Road which is a B classified road (B582) subject to a 40mph speed limit. These are the existing Equestrian Centre access and off an existing byway known locally as Harry's Lane. A new point of access is also proposed to serve the majority of the development. Details of the site access arrangements are provided on MEC drawing number 24832_08_020_03 Rev B, which is provided within Appendix E of the Transport Assessment (TA).

The LHA addresses each point of access in turn below, along with Policy 2 of the LHDG.

Existing Equestrian Centre Access

The Applicant proposes to retain the existing Equestrian Centre access to serve the Equestrian Centre and proposed cemetery. The Applicant has stated that the proposals would reduce the overall size of the equestrian centre, with the cemetery not intensifying traffic at the access. On this basis, the Applicant does not propose to amend the existing access arrangements.

Vehicular visibility splays of 2.4 x 120m have been shown on the site access drawing, which based on the recorded speeds would be considered in accordance with Table 6 of the LHDG, which is available at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/visibility-splays>. The LHA does however require additional information in respect of the speed surveys to ascertain the visibility splays as detailed in the Proposed New Access section further below.

Following the LHA's site visit, it is noted the existing hedgerow restricts visibility in each direction and therefore it would be beneficial for the hedge to be cut back/ removed in close proximity to the access. However, the proposed new pedestrian/ cycleway facility to the north of Barlestone Road, along with the new development access mean it is likely that the hedgerow would require removal in any case.

The LHA advise it would be beneficial for the Applicant to provide evidence in respect of trips as detailed in the Trip Generation section further below. Subject to the proposals not increasing the level of trips, the LHA is unlikely to have any concerns in respect of the existing access.

Existing 'Byway' Access

The Applicant has stated that the byway (known as Harry's Lane) is an adopted highway and is to be retained to maintain the existing rights of access to existing dwellings. The Applicant has stated that the byway will cross the internal primary development road and need to be retained. MEC

drawing number 24832_08_020_08 included within Appendix H of the TA outlines a proposed design where the byway will cross the access road.

The Applicant has stated that the byway is not a development access and its junction with the spine road has been designed to deter movements and ensure the access is conspicuous. The byway will not be widened, and vegetation is proposed to be placed on the corners of the junction to reduce its visual prominence and make the byway appear more like a pedestrian / cycle route.

The LHA advise that the existing adopted single track road is called Nursery Lane and is not currently recorded on the Definitive Map of Public Rights of Way as a Byway Open To All Traffic (BOTAT). Nursery Lane does provide access to two unadopted BOTAT's – S7 and S12.

The LHA is aware of a Definitive Map Modification Order covering the whole adopted length of Nursery Lane an unrecorded missing link between Nursery Lane and Byways S7 and S12. This can be found at <https://www.leicestershire.gov.uk/sites/default/files/2023-02/M1323-byway-along-Manor-Farm-Lane-from-Brascote-Lane-to-bridleway-S25.pdf>. The application is yet to be determined by the LHA, but should it be successful, this would not change the adoption status of the route, which would remain an adopted unclassified road under LCC's responsibility, except for the unrecorded missing link, where the LHA has never adopted the surface. For further information, please contact footpaths@leics.gov.uk.

Vehicular visibility splays of 2.4 x 43m have been shown at the new access onto the development primary road. However, vehicular visibility splays have not been detailed on the submitted drawings onto Barlestone Road. Following a site visit the LHA considers vehicular visibility to be severely restricted (below 30 metres) in each direction at the junction onto Barlestone Road. Whilst there may be scope to improve visibility to the southeast of the junction given the red line of the site abuts the highway, to the northwest, the LHA believe visibility splays of even 2.4 x 43m (for a road where measured 85th percentile speeds were up to 30mph) would not be achievable without third party land.

The LHA notes that a segregated pedestrian/ cycle route is proposed to link to Nursery Lane and consider it reasonable that the proposed route and Nursery Lane could be used in the future by pedestrians/ cyclists and horse riders. Given Nursery Lane is a single track adopted road, and the Applicant is not proposing to sever vehicle links, the LHA have concerns that despite the Applicant stating the route would be designed to be conspicuous to drivers, there would be nothing to prevent drivers from using it. This could lead to an intensification in use of Nursery Lane on to a B classified road, where visibility is sub-standard for the recorded speed of passing traffic.

In addition, it could lead to conflict between non-motorised users and vehicles, or between vehicles. The LHA therefore advise that the Applicant is required to propose measures to prevent vehicular access between Barlestone Road and the development road.

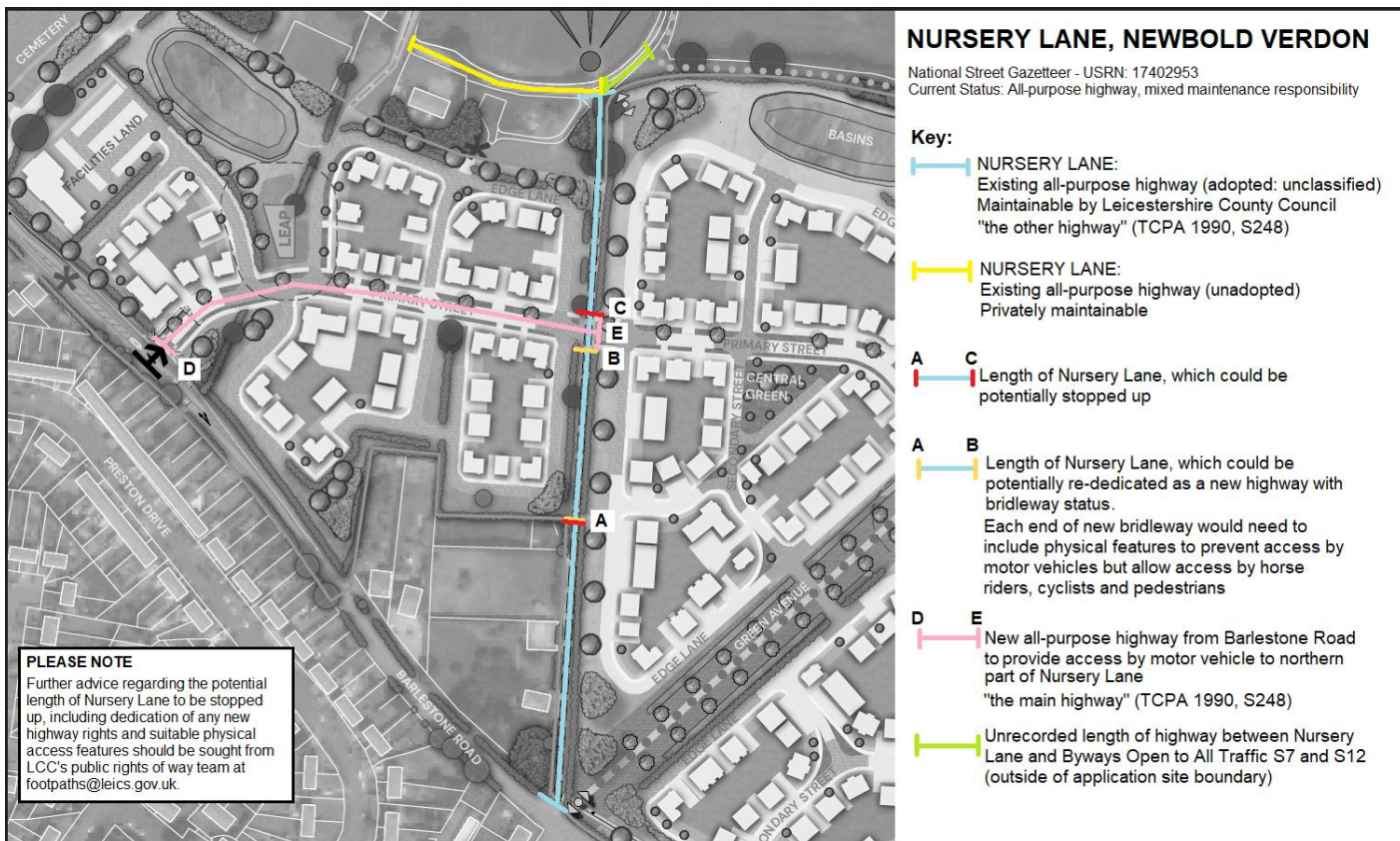
The LHA advise there are several legal processes that could be followed to do this. Some options are as follows, however it should be noted that the below is not legal advice:

- The Applicant could apply to the Department for Transport's National Transport Casework Team for an order under Section 247/248 of the Town and Country Planning Act 1990.

S247 enables the stopping up or diversion of highways to enable development of the land previously occupied by the highway. S248 is an extension to this that enables the stopping up of a highway ("the other highway" for the purpose of the application) that crosses or

enters the route of a proposed new highway (“the main highway” for the purpose of the application), but won’t itself be built on as part of the proposed development. It is the same application form for both S247 and S248 – the only addition being that the applicant needs to make reference to the proposed new highway that effectively replaces the existing highway that crosses it.

Below, the LHA has provided a greyscale extract from the indicative site layout, which illustrates what could be one option.



Nursery Lane between Points A and C (“the other highway”) could be stopped up under S248 because it crosses the proposed new highway (“the main highway”). The proposed new highway would preserve access for all forms of traffic from Barlestone Road to the northern part of Nursery Lane via Points D to E, while the unaffected part of Nursery Lane from Barlestone Road to Point A would preserve access for all forms of traffic to existing third-party land.

Between Points A and B, the stopped up length of Nursery Lane could be re-dedicated as a new highway with bridgeway status, enabling the retention of a through route for pedestrians, cyclists, and horse riders. Physical features at Points A and B would be required to prevent access by motor vehicles, while allowing access by other forms of traffic. LCC’s public rights of way team will be best placed to advise further on this – footpaths@leics.gov.uk. Appropriate signage may also be needed at the Barlestone Road access to Nursery Lane to make it clear that the route is not only a dead end (as an existing sign already does), but is a bridgeway only after a certain distance.

- It may be feasible for the whole length of Nursery Lane from Barlestone Road to Point A to be stopped up and re-dedicated as a bridleway, with private vehicular access rights reserved for existing adjoining landowners.
- Potentially the Applicant could close the existing junction of Nursery Lane with Barlestone Road to vehicles and implement a prohibition of driving order, which would require a Traffic Regulation Order (TRO). Landowners/ residents of Nursery Lane would then need to be re-routed through the development roads. The Applicant would be required to cover all costs associated with the TRO. The road would remain adopted in this scenario.

The LHA advise that with all potential options, access would need to be maintained for pedestrians, cyclists and horse riders. In addition, if the through route was severed there would be no vehicular turning space available at the end of the road. The Applicant would therefore need to provide a turning head to adoptable standards at the end of the road, which would potentially be adopted by Leicestershire County Council (LCC), should Nursery Lane remain an adopted road. The LHA believe this would be feasible given the eastern side of the road falls within the Applicants red line boundary.

It is unclear at this stage whether there would be objections received in respect of any proposals to sever Nursery Lane, which could affect what option is proposed. The LHA understand a storm drain runs under the road, which would also require access for maintenance etc. While the new spine road would provide an alternative vehicular access, it's possible that heavy farm traffic uses Nursery Lane, so a retained access from the spine road to the northern part of Nursery Lane may need to be suitable to accommodate vehicles such as a tractor and trailer, HGV or combine harvester accessing and egressing.

The LHA advise that the Applicant should provide details at this stage in respect of how they intend to progress with any proposals for Nursery Lane.

Proposed New Access

Apart from the proposed cemetery, the remaining development is proposed to be accessed off a new point of access onto Barlestone Road.

The submitted drawing details a single point of access to serve the site, with a 6.75m carriageway width, 2.0m footways on either side and a 6.0m junction radii. Visibility splays have been based on two Automatic Traffic Count (ATC) surveys which were undertaken either side of the proposed site access location between Friday 27th October – Thursday 2nd November 2023. Whilst the Applicant states a location plan of the surveys is provided in Appendix F of the TA, this does not appear to be available. The LHA hold records of a survey permit in the area; however, the LHA request clarity is provided on the location of both speed surveys and the survey permit number.

The speed survey to the north of the site access detailed 85th percentile speeds of 42.5mph in each direction, whilst the speed survey to the south of the site access detailed 85th percentile speeds of 42.1mph in each direction. The Applicant has therefore provided 2.4 x 120m visibility splays in each direction at the proposed access, which is in accordance with Table 6 of the LHDG. Whilst the LHA accepts the visibility splays in principle, this is subject to confirmation of the location of the speed surveys and survey permit number.

The Applicant has undertaken Swept Path Analysis (SPA) of a fire tender accessing and egressing the site in all directions. The LHA advise at in addition to this, a refuse collection vehicle length of 11.2m should be used. Furthermore, the LHA would advise that a vehicle speed of 15kph is used

for the SPA, this should be confirmed on the drawings. The Applicant can obtain further information from the LHDG by searching for *Swept Path Analysis*.

The Applicant has undertaken a Stage 1 Road Safety Audit (RSA1) of the site access arrangements, which is included within Appendix J of the TA. This also includes the off-site works. The LHA advise at this stage it will consider the off-site works, which include the proposed Toucan crossings and potential reduction in the speed limit, in more detail following additional information in respect of the number of pedestrians/ cyclists anticipated to use each crossing point.

The RSA1 raises eight problems with the access design/ off-site works. Designer's Responses have been provided to all problems. The LHA accepts the responses provided by the Applicant, except for Problem 1. This is due to LCC no longer using red surfacing due to the ongoing maintenance issues associated with its use.

The LHA advise the following points which the Applicant should note / revised in updated plans.

MEC drawing number 24832_08_020_03 Rev. B:

- Dimensions should be shown for the proposed segregated footway / cycleway ensuring compliance with Local Transport Note (LTN) 1/20¹. 2.0m would be required for cyclists as per LTN1/20 Table 5-2, and 2.0m for pedestrians as per Table 18 (pedestrian only routes) of the LHDG.
- A buffer strip should be detailed between the cycleway and the carriageway in accordance with LTN1/20 Table 6-1.
- The Applicant should provide a means for northwest bound cyclists to exit the segregated facilities and join the carriageway.
- Dimensions should be shown for the right turn lane in accordance with Table 5.22 of the Design Manual for Roads and Bridges (DMRB)² CD123. These should include the turning length, deceleration length and the direct taper length. The lane widths are in accordance with the DMRB requirements.
- At ghost island junctions where no diverge or merge tapers are provided, the corner radii should be 15 metres followed by a corner taper of 1:6, over a distance of 30 metres (DMRB CD123 5.6.3).
- Dimensions for the proposed pedestrian refuge within the toucan crossing should be shown, ensuring compliance with LTN1/20.
- The Applicant should confirm that the visibility splays for users of the footway/cycleway looking north into the equestrian centre access will be clear of obstructions impeding visibility.
- The proposed access shows a tactile crossing on the east side of the carriageway but none on the west.

¹ <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>

² <https://www.standardsforhighways.co.uk/dmrbs>

- For information at this stage, in accordance with Tables 3 and 4 of the LHDG, the longitudinal gradient at junctions should not exceed 1:30 for the first 10m.
- In accordance with LTN1/20 Clause 7.2.5, carriageway lane widths at refuges and other traffic calming features should be either less than 3.2m or greater than 3.9m to avoid unsafe overtaking of cyclists by motor vehicles.
- The proposed new highway boundary should be shown on the drawing e.g. where the footway/cycleway is located outside of the current highway extents.

MEC drawing number 24832 08 020 05 (Access Tracking)

- A vehicle profile for the refuse vehicle should be shown on the drawing. The profile provided is for a fire tender. A refuse vehicle of 11.2m length is recommended by LCC.
- The LHA requests a vehicle speed of 15kph is used for swept path analysis. A note should be added to the drawing confirming this.
- The swept paths show that the vehicle performing a left turn into the access is required to overrun the access road centreline which could result in collisions with oncoming vehicles.
- The swept paths show that the vehicle performing a left turn out of the access is also required to overrun the access road centreline which could result in collisions with oncoming vehicles.

MEC drawing number 24832-08-020-07 (Pedestrian / Cycle Improvements)

- The proposed new highway boundary should be shown on the drawing. LCC would not normally look to adopt infrastructure that is set back from the existing carriageway. Ideally this should be adjacent to the carriageway.
- The applicant should confirm what measures will be put in place to enable pedestrians and cyclists using the proposed toucan crossing to join the existing facilities on Sparkenhoe. It should be noted that there appears to be an area of third-party land between the highway extents on Barlestone Road and Sparkenhoe – this may require investigation by the Applicant. The Applicant can contact HRE@leics.gov.uk should they wish to obtain clarification on the highway boundary extents in this area.
- The visibility splays for the toucan crossing meet the requirements of Chapter 6 of the Traffic Signs Manual (2019)³.

Access to the Existing Highway Network

With regard to the principle of the proposed access, the Applicant has considered the proposals against Part 1, Section IN5 of the previous LHDG. Whilst the LHA appreciates this consideration, the LHA would draw the Applicant's attention to the Highway Development Management (HDM)

³ <https://www.gov.uk/government/publications/traffic-signs-manual>

Policy 2 in the revised LHDG, 'access to the existing highway network', which replaces policy IN5 from the previous LHDG. HDM Policy 2 states that:

'The council will apply a risk-based assessment of proposals for new accesses onto the existing highway network and alterations to and / or intensification of existing accesses so that they do not result in unacceptable road safety and operational concerns.' The policy context goes on to state:

'To ensure the provision of safe and suitable accesses for all users, the council will employ a risk-based approach to assessing the impact of proposals on new connections or alterations to the existing road network.'

In consideration of safety and efficient operation, the LHA will assess access proposals using a risk-based approach that considers relevant data including whether a proposal sits on Leicestershire's Resilient Network, the Major Road Network, vehicle volumes and speed limit, actual speeds and collision records alongside other relevant transport information provided by the Applicant.

The LHA notes that the B582 does not form part of either LCC's Resilient Network, or the Department for Transport's Major Road Network. The LHA also notes the Applicant's speed and traffic counts at the access. Given the LHA will require additional information on the proposed Toucan crossings in terms of the likely number of pedestrians crossing, the LHA will provide further advice on Policy 2 of the LHDG once this is available and the off-site works, including proposed speed limit reduction, can be considered further.

It should be noted that Policy 2 of the LHDG will also apply to the Nursery Lane/ Barlestone Road junction in the event the LHA has concerns the proposals could lead to an intensification of its use.

Highway Safety

The Applicant has obtained Personal Injury Collision (PIC) data from LCC for the five-year period between 1st January 2018 and 25th September 2023. The Applicants study area is outlined in Appendix C of the TA.

The LHA note however that the Applicant's study junctions are stated to extend to the B582 / Newbold Road / Lockymead Drive Roundabout to the southwest and the Bosworth Lane / Bosworth Road / A447 Staggered Crossroads to the west. All the Applicants study junctions should therefore be considered as part of the PIC analysis.

In addition, the analysis only considers up to September 2023, which is out of date. The LHA therefore requests that the Applicant undertakes additional PIC analysis to consider all study junctions, using up to date data.

While the LHA notes the Applicant considers there is not an existing road safety issue in their study area, once the above has been completed, the LHA will consider highway safety issues.

Trip Generation and Distribution

Trip Generation

The Applicant has considered the level of vehicle trips which the residential, health centre and cemetery elements of the proposals could generate within section six of the TA. These are addressed in turn below.

Residential Development (240 dwellings)

The Applicant has used the same TRICs trip rates which were accepted by the LHA as part of application references 11/00489/FUL (94 dwellings, 71 Dragon Lane, Newbold Verdon), 20/00143/FUL (116 dwellings, Land South Of Bosworth Lane, Newbold Verdon) and 22/00277/OUT (239 dwellings, land east of The Windmill Inn, Brascote Lane, Newbold Verdon). The proposed vehicular trip rates, along with the approximate number of vehicle trips the proposed development could generate during the AM and PM peak hours are shown in Table 1.

Time Period	Trip Rates (per unit)		Trip Generation (240 units)		
	Arrive	Depart	Arrive	Depart	Total
AM Peak (08:00-09:00)	0.074	0.606	18	145	163
PM Peak (17:00-18:00)	0.521	0.17	125	41	166

Rounding errors may occur

Table 1: Proposed residential vehicle trip rates (240 dwellings).

The trip rates are accepted by the LHA.

Health Centre

The Applicant has used TRICs database to ascertain the level of vehicular trips which could be generated by the proposed health centre. Based on the submitted application form, the health centre would have an internal floorspace of 1,100sqm. The proposed trip rates and approximate level of vehicle trips which could be generated by the proposed health centre are shown in Table 2.

Time Period	Trip Rates (100sqm)		Trip Generation (1100sqm)		
	Arrive	Depart	Arrive	Depart	Total
AM Peak (08:00-09:00)	2.759	1.463	30	16	46
PM Peak (17:00-18:00)	1.314	2.136	14	23	38

**Rounding errors may occur*

Table 2: Proposed Health Centre vehicle trip rates (1,100sqm).

The LHA have reviewed the proposed trip rates and consider these to be acceptable.

Total Trip Generation – Residential and Health Centre use

When combining the residential and health centre trips, the proposed development is estimated to generate approximately the following level of trips:

- 209 two-way vehicle trips (48 arrivals and 161 departures) during the AM peak hour; and
- 204 two-way vehicle trips (139 arrivals and 64 departures) in the PM peak hour.

All trips would be from the proposed new access.

Cemetery

The Applicant has advised that given the size of the proposed cemetery, it is likely to be a Garden of Rest with no on-site facilities beyond a small car park. The Applicant notes that although services would still occur, these are unlikely to be carried out during the traditional peak hours; general visiting would likely occur sporadically with no set time required, with peak hours for a Garden of Rest typically occurring on weekends, notably Sundays.

The Applicant states that gardeners or maintenance workers would be required to visit the site; however, it is unlikely more than one or two workers would be regularly required on site at any given time. In addition, given the equestrian centre would be reduced in size because of the proposals, it is suggested this would offset the trips generated by the cemetery.

The Applicant considers the cemetery would generate negligible trips in the peak hours, particularly given the reduction in size of the equestrian centre. On this basis, the Applicant considers omitting any peak hour traffic flows generated by the cemetery would not impact on the robustness of the capacity assessments.

The LHA note that whilst the equestrian centre would be reduced in size as a result of the proposals, it appears that several events are held at the site on a frequent/ daily basis and it is unclear if these would cease as a result of the proposals. It is noted that most of the site appears to be fields used for grazing horses. Clarity is therefore sought in respect of which elements of the site would be reduced in scale, along with an indication on the level of trips the site could currently generate in comparison the proposed cemetery use.

Trip Distribution

Given the scale of the development proposed, the number of developments in surrounding villages, e.g. Desford, Market Bosworth and Barlestone, the LHA advised the Applicant at the pre-application stage that the trip distribution from the development is considered using the Leicestershire Pan Regional Transport Model (PRTM). PRTM has the benefit of assigning and distributing trips on the network and considers committed development as a part of the model run. Further information can be found at:

<https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/leicestershires-pan-regional-transport-model-prtm>.

The Applicant has stated that at the time of writing the TA, the PRTM modelling has been commissioned, but the data is not available. The Applicant has provided an overview of capacity assessments within Newbold Verdon, with an aim to inform the need for any mitigation. The Applicant has acknowledged that the PRTM data, including assessments of the wider area of influence will be provided later, once available.

The Applicant has therefore based the current trip distribution within the TA on 2011 Census data for the Hinckley & Bosworth 005 Super Output Area and the methodology accepted by the LHA as part of application reference 20/00143/FUL. The trip distribution for the health centre has been assumed to be the same as the residential trip distribution.

The LHA advise that given the requirement for PRTM to be used for the proposed development, trip distribution based on Census data is not accepted. The LHA will review trip distribution once the PRTM modelling has been completed.

Given the scale of the development together with its location and the presence of other forthcoming developments in this area, the 'Level 2' assessment suggested by the Applicant will not be acceptable in this case as it is unlikely to account for speculative growth that is not identified within the draft Hinckley and Bosworth Draft Local Plan and as such would not accord with the cumulative assessment requirements of the National Planning Policy Framework (NPPF). The LHA is providing a consistent approach in the area.

Therefore in line with the above, the LHA requires a full PRTM assessment which will take into account the cumulative impact of development sites in Newbold Verdon. The Applicant should liaise with the framework team (etcf@leics.gov.uk) accordingly. The LHA would wish to work with the Applicant to assist throughout the process in order to help ensure that the modelling undertaken is fit for the purposes of a planning application.

Junction Capacity Assessments

The Applicants study junctions are detailed below:

1. Site Access (Barlestone Road / New Site Access);
2. Barlestone Road / B585 Bosworth Lane Signalised T-Junction;
3. Bosworth Lane / Bosworth Road / A447 Staggered Crossroads;
4. B582 Hunts Lane / B582 manor Road / Newbold Road / Lockeymead Drive Roundabout
5. Barlestone Road / Dragon Lane T-junction;
6. Balrestone Road / Mill Lane T-junction, and;
7. Barlestone Road / Main Street T-junction;

It has been stated that the junctions beyond the immediate vicinity of Newbold Verdon will be considered further once the results of the PRTM are available.

To establish the baseline survey data, the Applicant states within the TA that traffic surveys were undertaken at the study junctions on Thursday 25th May 2023. The LHA notes however that the raw data provided in Appendix L of the TA details that the surveys at junctions 2, 3, 4 were undertaken on Tuesday 31st October 2023.

In addition, the Applicant has stated that traffic flows for junctions 5, 6 and 7 have been obtained from application reference 22/00277/OUT, which were undertaken in June 2021. These surveys are considered to be over three years old and out of date and that up to date traffic surveys should be undertaken in a traffic neutral month. Alternatively, LCC may hold up to date surveys which the Applicant could obtain, the Applicant would need to contact NDI@leics.gov.uk for further information.

Whilst the LHA holds records of survey permits being obtained for the 31st October 2023 surveys, no records appear to be held for the 25th May 2023 surveys. The LHA therefore request clarity on the survey dates and advise that the Applicant contacts NDI@leics.gov.uk to seek retrospective permits for the traffic surveys included in Appendix L if necessary. Survey permits would also be required for all other junctions where traffic counts have been undertaken by the Applicant.

TEMPro traffic growth factors have been applied to the baseline 2023 counts to create forecast levels for 2024 and the future year of 2033. The LHA advises growth factors should be applied from the PRTM.

Notwithstanding the information submitted, the LHA will give further consideration to the Applicants traffic flow diagrams and capacity assessments once the PRTM exercise has been completed and both the traffic flow diagrams and the capacity assessments have incorporated the results of this.

Off-Site Implications

The Applicant is proposing to reduce the speed limit along the section of Barlestone Road fronting the site from 40mph to 30mph. This is detailed on MEC drawing number 24832_08_020_09 included within Appendix Q of the TA. The Applicant is proposing to install 30mph gateway signing and lining at each speed limit change. In addition, four Vehicle Activated Signs (VAS) are proposed

along the route to reinforce the speed limit and street lighting would be reviewed, with additional lighting provided if necessary.

Two new Toucan crossings are proposed across Barlestone Road as shown on MEC drawing numbers 24832_08_020_03 Rev. B and 24832_08_020_07 Rev. B. In addition, a shared use footway/ cycleway would be provided from the new site access alongside Barlestone Road to connect into the existing footway opposite Dragon Lane.

Whilst the LHA welcome the Applicants intention to provide two Toucan crossings, it is requested the Applicant provides an indication as to the level of pedestrians/ cyclists which they anticipate using each crossing. This should include consideration of pedestrians which may need to cross Barlestone Road to access the health centre or car park for the health centre. An assessment should then be undertaken for each crossing in line with TSM Chapter 6, along with an enhanced PV² assessment. The LHA will then consider pedestrian crossing facilities and off-site works, including the speed limit reduction.

It is also noted the Applicant has undertaken modelling of the Toucan crossings, which indicates that they would not lead to severe queueing or delays. The LHA will require the junction modelling files are provided so that this can be reviewed.

The LHA will consider whether there are any improvements required to nearby junctions as a result of the proposals, once further information has been submitted by the Applicant in respect of the PRTM modelling.

Internal Layout

The internal layout of the development is not for consideration at this stage. The LHA advise that in the event the proposals are granted planning permission by the LPA, it is strongly advised that the internal road network is designed to an adoptable standard and put forward for adoption by the LHA. Access to the remaining section(s) of Nursery Lane will need to be considered as part of the internal layout to ensure this is suitable to cater for the largest anticipated vehicles anticipated to use the route.

Transport Sustainability

The LHA has reviewed the submitted Travel Plan and considers this to be generally acceptable.

The Applicant will however need to ensure the Travel Plan Co-ordinator details are provided to s106monitoring@leics.gov.uk as soon as appointed.

The LHA would require a Travel Plan Monitoring fee of £6,000 as part of an Section 106 agreement, should the LPA be mindful to grant planning permission for the proposals in the future.

The Applicant would be required to provide one travel pack per dwelling (currently £52.85 per pack, if supplied by LCC) which contains an application form for two six-month bus passes to encourage sustainable travel to and from the site. Currently, the cost of a bus pass for an Arriva service is £510 per pass. The Applicant should be aware that should they choose to create the Travel Pack themselves, there is a fee of £500.00 to be paid to LCC to review the packs prior to distribution.

The LHA note that within the submitted TA, consideration is given to re-routing the existing hourly bus service between Market Bosworth and Leicester (153) to pass closer to the site. Correspondence with the bus operator (Arriva) within parts 7.8 – 7.11 and Appendix R of the TA suggests that the operator would not be willing to re-route the service as this would increase the

walking distance from the established demand within the existing built-up area of Newbold Verdon. Re-routing alternate buses would also leave this area with a two hourly service.

Arriva have suggested as an alternative that the applicant looks to contribute towards pump-priming extended hours of operation from Newbold Verdon with additional early morning journeys (the first Leicester bound journey is not until 0749 currently) and potentially later return departures from Leicester.

The LHA request the Applicant gives further consideration to bus service provision and advises what measures could be introduced because of the proposals. This should also be detailed within the updated Travel Plan.

Public Rights of Way

The application site is crossed by three minor highways, which are Public Footpaths R88 and S11 and a route named 'Nursery Lane' which as detailed further above, some application documents incorrectly label a public byway. Rather it is an adopted road that connects to Byways Open to All Traffic (BOTATs) S7 and S12, the latter of which is part of the northern site boundary.

The application documents propose these Public Rights of Way (PRoWs) are retained. However, the plans with the application reflect the physical PRoW routes on the ground. The Definitive Map of Public Rights of Way legally 'fixes' the status and alignment of every PRoW and, for historical reasons, routes on the ground may differ from the legal alignment, but it is the legal alignment which should be used for planning and development purposes.

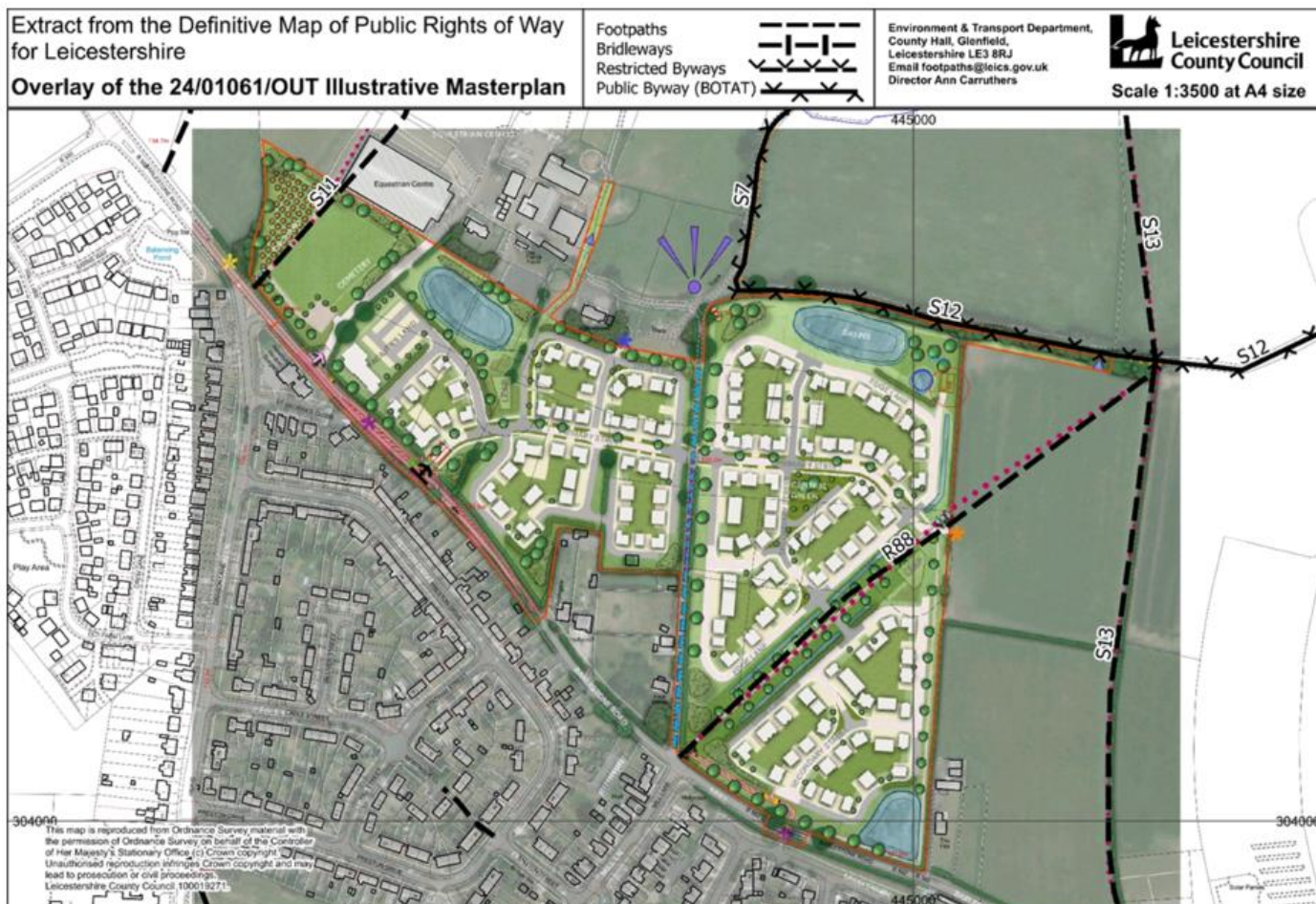
The Definitive Map overlaid onto the Indicative Masterplan dwg no. P22-3085_DE_13_M_01 (see extract overleaf) shows differing routes for Footpath S11 at the northern site boundary, but that reflects a legal diversion in progress after a planning permission at the Equestrian Centre.

However, the masterplan shows Footpath R88 up to 7.5 metres away from its legal alignment. To reconcile this will require a PRoW diversion by a separate legal order made by the LPA, for which a separate application must be submitted and legally confirmed before the development is substantially complete.

The Landscape Strategy Plan dwg no. P22-3085_EN-015D shows Footpath S11 to be surfaced with self-binding gravel, though the LHDG standard is to use tarmac. The Landscape Plan has no indication of surfacing for Footpath R88. Any existing barriers on the PRoWs need to be replaced in line with the government's 'least restrictive option' policy reflecting the requirements of the Equality Act 2010. These matters need to be detailed in a scheme for the treatment of the Public Rights of Way.

Paragraph 105 of the NPPF (2024) requires that: *'Planning policies and decisions should protect and enhance public rights of way and [statutory] access, including taking opportunities to provide better facilities for users ...'* NPPF 105 is applied locally by the LHDG annex on Development and Public Rights of Way, and any PRoW scheme should be based on what that guidance requires.

The LHA advises that an appropriately worded condition could be for the treatment of the PRoW's, including where relevant, management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRoW alignments; and any new construction works. In addition, this would need to address surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments.



Construction Traffic

Construction traffic and how HGV's/ construction vehicles would access the site is not a material planning consideration. The LHA would not be able to seek to resist the proposals based on construction traffic, the type of vehicles used, or the route HGVs would take to access the site.

Nevertheless, the LHA would advise the LPA, that in the event it is mindful to advise approval of the proposed development, it would require a Construction Management Plan (CMP) to be submitted and approved prior to any construction works on the site. As a minimum the CMP should include details of the routing of construction traffic, along with details of parking and wheel washing facilities would be required as a condition.

Closing

The LHA requires the Applicant to submit additional information to the LPA in respect of the following points for further consideration by the LHA, this broadly includes:

- Details of a scheme to sever Nursery Lane to through traffic between the development roads and Barlestone Road;
- Confirmation in respect of the speed survey location and survey permit number(s);
- Swept path analysis of the refuse collection vehicle at the site access;
- Amendments to the site access drawing and off-site works as detailed above;
- PIC analysis based on up to date PIC data, as well as covering all study junctions;
- Consideration as to the level of trips the equestrian centre could generate in comparison to the cemetery;

- Trip distribution for the proposals based on PRTM evidence;
- Clarity in respect of the dates traffic counts were undertaken, along with survey permit numbers;
- Updated traffic counts which have been undertaken during a traffic neutral month within the last three years;
- Capacity assessments and consideration of all study junctions based on PRTM evidence;
- Consideration as to the level of pedestrians/ cyclists which could use each proposed Toucan crossing and an enhanced PV² assessment; and
- Further consideration in respect of bus service provision as detailed further above.

Date Received **Case Officer**
26 November 2024 **Ben Dutton**

Reviewer
DH

Date issued
17 January 2025