

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: 24/00485/FUL

Highway Reference Number: 2024/0485/04/H/R1

Application Address: Holywell Farm Desford Lane Ratby Leicester Leicestershire LE6 0LE

Application Type: Full

Description of Application: Re-consultation. Change of use of agricultural building and yard to the storage of drainage materials and associated trade counter (Class B8)

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Prestons Contracting

County Councillor: Cllr Ozzy O'Shea

Parish: Ratby

Road Classification: Class C

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 Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been re-consulted by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

'Change of use of agricultural building and yard to the storage of drainage materials and associated trade counter (Class B8)'

The proposals are at Holywell Farm, Desford Lane, Ratby, Leicestershire, LE6 0LE.

The LHA have previously responded to the LPA on 19 June 2024 requesting further information from the Applicant, this included:

- Types of drainage materials to further understand types of vehicles expected;
- Confirmation of quantum of trips to the site validated via TRICS or First Principle Approach;

- If intensification of trips expected, detailed access drawings to be provided;
- Stage One Road Safety Audit with Designers Response;
- Detailed visibility drawings;
- Confirmation access would not impede Pear Tree Business Park access visibility in terms of junction spacing; and
- Internal Layout details.

In response to the LHAs previous observations provided to the LPA on 19 June 2024, the Applicant has provided the following.

- Stage One Road Safety Audit (RSA1) and Designers Response; and
- Accompanying Highways Report (AHR)

Note

All information referred to in this report is contained within the AHR including plans, other than the RSA1 and Designers Response.

Site Access/Trip Generation

The Applicant has stated within the AHR that the materials stored on site will be basic drainage supplies. Contained within the area to the rear of the building, bays will be provided with various grades of drainage gravel, sand and some aggregates. It is also noted solid and flexible drainage pipes will be stored in the building and some rigid pipes and concrete rings for manholes will be stored in the rear yard. Smaller consumables will be kept in the end of the converted building.

The Applicant has stated within the AHR that the largest expected types of vehicles likely to visit the site are:

- Rigid Flatbed Lorries;
- Articulated Lorries; and
- Rigid Tipper Lorries.

The Applicant has also confirmed that there would be an intensification of trips to the site, the LHA will address this matter later within this report.

Appendix D of the AHR contains drawing 'Proposed Access Improvements', drawing number 12484/001. This demonstrates an amended access with an effective access width of 7m for approximately 26m behind the public highway. It is proposed to have a 7.5m radii to the northeast of the access, and a 6m radii to the southwest of the access. This is acceptable to the LHA.

The Applicant has undertaken a speed / traffic survey at the site access, this took place between 5 July 2024 until 11 July 2024. This demonstrated recorded 85th percentile speeds of 31.6mph northeast bound, and 85th percentile speeds of 29.0mph southwest bound.

Visibility splays have been demonstrated on 'Proposed Access Improvements', drawing number 12484/001 as being 2.4m by 46m to the southwest of the access, and 2.4m by 41m to the northeast of the access. The LHA is therefore satisfied that suitable visibility splays in accordance with the 'Stopping Site Distance (SSD)' contained within 'Manual for Streets 2 (MfS2)' are achievable.

The LHA would also state that it is satisfied that 2.4m by 160m southwest of the access and 2.4m by 100m to the northeast of the access is achievable, well in excess of the standards required within Table DG4 of Part 3 of the Leicestershire Highway Design Guide (LHDG) for the measured 85th percentile speed of the road.

The Applicant has provided a RSA1 authored by Midland Road Safety Ltd. The LHA can confirm that the Audit Team has identified no safety problems at the proposed amended access.

Contained within the AHR – Appendix H the Applicant has provided vehicle swept path analysis drawings for both rigid vehicles and for a large articulated vehicle. Plan 'Vehicle Tracking - Sheet 1', drawing number 12484/002 demonstrates a large articulated vehicle crossing the centre white line when egressing the proposed amended access in a northeastern direction. However, the LHA have taken into consideration that agricultural vehicles associated with the extant use of the site would also cross the centre white line when egressing the existing access arrangements.

The AHR states that the Applicant expects six x two-way large articulated vehicle trips (e.g. 3 arrival and 3 departures) to and from the site are expected a week, which the LHA considers a low number compared to the extant use of agricultural vehicles with trailers that could be expected to access and egress the site. As previously stated within the LHAs observations provided to the LPA on 19 June 2024, Personal Injury Collision (PIC) data also shows a single PIC to the southwest of the site access, this did not involve a turning manoeuvre. The Applicant has stated within the AHR that 'CrashMap' data shows there has not been a recorded PIC within the location of the access since their records began in 1999.

The LHA notes on 'Vehicle Tracking - Sheet 1', drawing number 12484/002 (Large Articulated Vehicle), and 'Vehicle Tracking - Sheet 2', drawing number 12484/003 (Rigid Truck) that both sides of the proposed amended access would be utilised when accessing and egressing the site. The AHR states that 30 two-way trips are expected to the site utilising these types of vehicles. These would involve both deliveries to the site, and customer vehicles, this equates to five trips a day over six days. Taking this information into consideration, the LHA are satisfied the likelihood of two large vehicles accessing and egressing the site at the same time would be minimal. If this did happen, given the likely frequency, it would not be considered unreasonable for one vehicle to wait in the carriageway until the access is clear. However, the LHA would request the Applicant arranges deliveries to minimize such occurrences happening.

As such, taking the above into consideration the LHA would not seek to resist the application in terms of swept path analysis details.

The Applicant has demonstrated on drawing 'Proposed Access Improvements', drawing number 12484/001 that the proposed access amendments would not interfere with the junction spacing visibility with Pear Tree Business Park, contrary to Figure DG3 of Part 3 of the LHDG. This is accepted by the LHA.

The Applicant has indicated on 'Proposed Access Improvements', drawing number 12484/001, drainage at the proposed amended site access to prevent water running onto the public highway, this is welcomed by the LHA.

Trip Generation

The Applicant is expecting 45 two-way movements a day, these are based on five a day for deliveries and customer collections in large vehicles as described above, and 40 two-way trips a day made by transit van type vehicles each day.

In support of the Applicants trip generation information, they have provided TRICS data. Given the lack of similar sites, it has been considered that the most comparable land use available in TRICS is that of a Builders Merchant, and therefore an analysis has been made using the survey data for this use. The Applicant has stated it should be noted that TRICS does not include many recent surveys of that land use type, and the size of buildings are much larger and therefore may not be directly comparable and are likely to generate more traffic than would be expected from a much smaller building. This is accepted by the LHA.

TRICS has been interrogated and surveys from 1 January 2000 have been included. Sites located in London or Ireland have been excluded. Sites where the population exceeded 250,000 within a five-mile radius were excluded. The size of units included in the survey was between 600sqm and up to 13051sq metres. The average floor area of the buildings surveyed varied depending upon the times of each survey, however between 6am and 6pm the average floor area was at least 4542sqm, approximately 6 times larger than the building proposed. This methodology is accepted by the LHA.

As a result of the selection process, TRICS produced the results from eight sites, and provided an hourly estimation of trips generated per 100sqm of floor area between 6am and 7pm. The results provided are as follows:

6am to 7am	0.047 arrive	0.000 depart	0.047 two-way
7am to 8am	0.336 arrive	0.182 depart	0.518 two-way
8am to 9am	0.539 arrive	0.435 depart	0.974 two-way
9am to 10am	0.471 arrive	0.501 depart	0.972 two-way
10am to 11am	0.564 arrive	0.528 depart	1.092 two-way
11am to 12pm	0.504 arrive	0.495 depart	0.999 two-way
12pm to 1pm	0.402 arrive	0.476 depart	0.878 two-way
1pm to 2pm	0.314 arrive	0.340 depart	0.654 two-way
2pm to 3pm	0.340 arrive	0.331 depart	0.671 two-way
3pm to 4pm	0.305 arrive	0.328 depart	0.633 two-way
4pm to 5pm	0.204 arrive	0.285 depart	0.489 two-way
5pm to 6pm	0.003 arrive	0.155 depart	0.158 two-way
This gives a total daily flow of			
6am to 6pm	4.029 arrive	4.056 depart	8.085

Based on these trip rates, the proposed building with a gross floor area of 735sqm would result

in the following traffic movements (rounded up or down to give whole numbers):

6am to 7am	0 arrive	0 depart	0 two-way
7am to 8am	2 arrive	1 depart	3 two-way
8am to 9am	4 arrive	3 depart	7 two-way
9am to 10am	3 arrive	4 depart	7 two-way
10am to 11am	4 arrive	4 depart	8 two-way
11am to 12pm	4 arrive	4 depart	8 two-way
12pm to 1pm	3 arrive	4 depart	7 two-way
1pm to 2pm	2 arrive	3 depart	5 two-way
2pm to 3pm	3 arrive	2 depart	5 two-way
3pm to 4pm	2 arrive	2 depart	4 two-way
4pm to 5pm	2 arrive	2 depart	4 two-way
5pm to 6pm	0 arrive	1 depart	1 two-way

This gives a total daily flow of

6am to 6 pm	30 arrive	30 depart	60 two-way
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These figures show that the proposals will be likely to generate a maximum of eight two-way vehicle movements in any hour of the day. Over the course of a 12-hour day, the proposal would be likely to generate 60 vehicle movements, which works out that on average there would be one vehicle movement every 12 minutes. The LHA have taken into account that these figures are based on building merchants, as such these would be expected to generate a higher trip rate given more goods and services would be provided. As such, the LHA accepts the above findings that 45 two-way trips, consisting of approximately five HGV/ rigid truck and 40 transit type van trips would occur per day.

The LHA have also taken into consideration that the site could be brought back into use for agricultural purposes, and also would have generated trips in its own right. As such, the LHA do not consider they could defend a reason for refusal based on trip rates to the site.

Internal Layout

The Applicant has stated within the AHR that there is a large passing bay located approximately 60m from the highway boundary. The Applicant goes on to say that the passing bay has an overall length of 32m including tapers, which provide an overall width of 7 metres. This passing bay is suitable to allow two large vehicles to pass on the private access track. However, the LHA are not able to confirm this has been included on drawing 'Proposed Site Layout', drawing number 01 – Rev P02 included within the AHR - Appendix G, given this, the LHA will condition its inclusion. However, if the Applicant wishes to submit a further plan, the LHA would be happy to assess this.

The 'Proposed Site Layout', drawing number 01 – Rev P02 demonstrates 10 off-street parking spaces, a further space is available for vehicles with a trailer. Parking and turning for one HGV has also been provided within the site.

The LHA are satisfied that the quantum of off-street parking exceeds the requirements as set out within the Highway Requirements for Development Part 4 (HRfD4) document.

The LHA are also satisfied that the off-street parking accords with Paragraph 3.165 (Parking Space Dimensions) and Figure DG13 (On-Site Turning and Aisle Widths) of Part 3 of the LHDG.

Given the above, the LHA are satisfied the internal layout accords with the LHDG and HRfD4.

Public Right of Way R42/8

The Applicant is proposing 45 trips a day which would cross the bridleway R42/8. Whilst the LHA do not consider this would have a severe impact on the use of the bridleway, or of its enjoyment, the LHA considers signage should be installed alerting bridleway users and the vehicles of each other's presence. If further information is required in this aspect the Applicant should contact footpaths@leics.gov.uk. This can be dealt with via condition.

Based upon the information provided by the Applicant, the LHA would not seek to resist the application subject to the following conditions.

Conditions

1. No part of the development hereby permitted shall be brought into use until such time as the access arrangements shown on Proposed Access Improvements, drawing number 12484/001 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

2. The development hereby permitted shall not be brought into use until such time as the parking and turning facilities have been implemented in accordance with Proposed Site Layout, drawing number 01 – Rev P02. Thereafter the onsite parking and turning provision shall be kept available for such use in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

3. The development hereby permitted shall not be brought into use until such time as the access drive has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023)

4. The development hereby permitted shall not be brought into use until the provision of a large vehicle passing bay has been provided. Once provided this shall be made available and maintained in perpetuity.

REASON: To ensure the highway is kept clear of traffic in the interest of highway safety and in accordance with the National Planning Policy Framework (December 2023)

5. The development shall not be brought into use until a scheme for the treatment of the Public Right of Way has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include provision for signage, and management during construction in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: to protect and enhance Public Rights of Way and access in accordance with Paragraph 104 of the National Planning Policy Framework 2023.

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.
- Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.

- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received
3 September 2024

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
17 September 2024