

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: 24/01157/HYB

Highway Reference Number: 2024/1157/04/H

Application Address: Kyngs Golf And Country Club Station Road Market Bosworth Nuneaton Leicestershire CV13 0NP

Application Type: Hybrid

Description of Application: Hybrid planning application seeking Full planning permission for the erection of a golf leisure and health spa and Outline planning permission (all matters reserved except for access) for the erection of up to 126 golf holiday lodges with associated works

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: Mr G Denny

County Councillor: Bertie Harrison-Rushton

Parish: Market Bosworth

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 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 a full application for a:

Hybrid planning application seeking Full planning permission for the erection of a golf leisure and health spa and Outline planning permission (all matters reserved except for access) for the erection of up to 126 golf holiday lodges with associated works.

The site is located at Kyngs Golf and Country Club, Station Road, Market Bosworth.

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

- Transport Assessment ([TA] dated December 2024 and authored by Ardent Consulting Engineers);
- Planning Statement (dated December 2024 and authored by HMD);
- Location Plan (dated December 2024);
- HMD drawing number HMD/PD0574/01 (Site Plan); and
- HMD drawing number HMD/PD/0574/07 (Illustrative Site Layout Plan).

The LHA is aware of the following recent planning history at Kyngs Golf Club:

- *24/00769/FUL | Change of use of land and the siting of 9 single storey holiday lodges with vehicle parking and associated works (Revised Scheme 23/00508/FUL). The LHA advised no objection to the proposals subject to conditions, however the application is pending consideration by the LHA.*
- *24/00513/FUL | Erection of 4 holiday lodges and associated works (resubmission of 24/00027/FUL). The LHA advised no objection to the proposals subject to conditions and the proposals have been granted planning permission by the LPA.*
- *24/00026/FUL | Erection of 2 subterranean golf holiday lodges with associated works. The LHA advised no objection to the proposals subject to conditions and the proposals have been granted planning permission by the LPA.*
- *24/00019/FUL | The proposed erection of a 50x room Golf and leisure accommodation facility with associated works (part revised scheme to that approved under 19/01437/FUL). The LHA advised no objection to the proposals subject to conditions and the proposals have been granted planning permission by the LPA.*

In addition, there are several other planning applications at the site which have been refused planning permission by the LPA.

The LHA understand the proposed health spa would be restricted for use by guests of the proposed and consented holiday lodges, as well as users of the consented hotel only and would not be open to the public.

The LHA is familiar with the site access/ Station Road and has visited Market Bosworth on several occasions recently due to the volume of planning applications in the area. The LHA are also aware of live planning application reference 24/01079/OUT for up to 126 dwellings at land north of Station Road, Market Bosworth, which shares an existing access with this proposed development. Both applications have been reviewed by the LHA concurrently, with a separate response provided for that application.

Site Access

The site would be accessed from Station Road, a C classified road subject to a 30mph speed limit. The Applicant is not proposing any amendments to the existing site access.

The LHA note as part of application reference 24/00019/FUL, improvements to the site access were required to the width and radii. The LHA advises that given the scale of the proposals; similar improvements are put forward by the Applicant.

Highway Safety

The Applicant has obtained Personal Injury Collision (PIC) data from Crashmap for the five-year period between '2018 and 2022'. The Applicants PIC analysis initially refers to an incorrect and irrelevant location (the A518) and states that there have been no PIC's, however the study area

shown does show Station Road in the vicinity of the site access. The Applicant then highlights one PIC which occurred at the junction of Station Road and Godsons Hill in 2018. This was recorded as 'slight' in severity and involved a cyclist and a vehicle.

The LHA advises that the Applicants PIC analysis is out of date, given it only considers up to 2022.

Nevertheless, the LHA have very recently advised as part of application reference 24/00560/HYB that there are no specific trends within the PIC data for that application which could reasonably be exacerbated by the proposed development. Based on the LHA's own records, there are also no PIC's recorded along the length of Station Road during the last five years. Under the site-specific circumstances, the LHA advise it does not require up to date PIC analysis considering the most recent five-year period.

Trip Generation and Distribution

Trip Generation

As advised further above, the Applicant has stated that the proposed health spa would be restricted for use by guests of the proposed and consented holiday lodges, as well as users of the consented hotel and members of the golf club only and would not be open to the public. The LHA therefore advise that an appropriately worded planning condition will be required to restrict the use of the spa to prevent use by the public.

The Applicant should liaise with the LPA in respect of a planning condition to restrict the use of the spa to public use only and provide an appropriately worded condition which they would agree to in the event the LHA was mindful to provide positive advice in respect of the proposals in the future.

The LHA advise that without such a condition, or if membership could be obtained to the golf club just for use of the spa, the proposals could generate additional traffic on the network over and above the level which the Applicant suggests is considered as part of this application. It is therefore essential that the LHA understands whether a planning condition restricting use could be imposed at this stage and what the wording on this would be. Furthermore, the LHA requests clarification if membership could be applied for solely for use of the spa, without the use of other facilities at the golf club such as the golf course, holiday lodges, clubhouse or hotel.

The Applicant has used the TRICs database to ascertain the level of trips which the proposed holiday lodges could generate. The proposed vehicular trip rates and anticipated vehicle trips for 126 holiday lodges during the AM and PM peaks are shown in Table 1.

Site	Weekday AM Peak (08:00-09:00)			Weekday PM Peak (17:00-18:00)			Weekday 12-hour (07:00-19:00)		
	Arr	Dep	Total	Arr	Dep	Total	Arr	Dep	Total
Vehicle Trip Rates (per unit)	0.017	0.023	-	0.063	0.067	-	0.712	0.725	-
Vehicle Trip Generation (126 units)	2	3	5	8	8	16	90	91	181

Table 1: Proposed vehicle trip rates and approximate level of vehicle trips (126 holiday lodges).

It is suggested that the trip rates for the holiday lodge use only (as opposed to the holiday lodge and the spa) would be appropriate given the restrictions on use of the proposed spa. Whilst the

LHA accept this in principle, clarity is required in respect of a planning condition restricting use as detailed above.

Upon reviewing the TRICs output data within Appendix D, the LHA notes the Applicant has included both weekday and weekend trip rates within the assessment, which is against the TRICs good practice guide. Furthermore, it is noted the surveys for one of the sites (reference NF-03-J-02, Norwich, Norfolk) was undertaken during the Covid-19 pandemic when Covid-19 restrictions were in place. The LHA typically request such sites are not included in the analysis. The LHA therefore request the Applicant to reconsider the trip rates and would suggest trip rates to and from the site for both the weekday peaks, as well as the weekend peak are provided. These trip rates should not include sites affected by Covid-19 restrictions.

The LHA is aware of live application reference 25/00027/OUT (*Outline planning permission for a leisure and recreation development to include a family health and wellbeing spa, holiday lodges and a wedding and conference venue. (All matters reserved except for access) | Land East of Bosworth Water Park, Wellsborough Road, Market Bosworth*).

The Applicant may wish to consider the use of the trip rates proposed for the holiday lodges as part of that application.

Trip Distribution

The Applicant has based their trip distribution on that which was accepted by the LHA for the proposed hotel development as part of application 24/00019/FUL. This is accepted by the LHA.

Junction Capacity Assessments

The Applicant has undertaken a capacity assessment of the site access to demonstrate this would operate within capacity. The Applicant has tested two scenarios:

- 2029 without development; and
- 2029 with development

The Applicant has not provided the raw data for the traffic count the capacity assessment is based on, this is typically required by the LHA. Furthermore, it is unclear what year the traffic count was undertaken, or what traffic growth factors have been used to factor the baseline traffic count data up to 2029. Traffic counts must not be more than three years old and undertaken in a traffic neutral month.

It is noted the Applicant has referred to the following live planning applications within their TA:

- 24/01079/OUT - *Outline planning application for up to 126 dwelling (all matters reserved except access)| Land north of Station Road, Market Bosworth.*
- 24/00560/HYB - *Hybrid planning application seeking full planning permission for residential development of 138 dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8). Land Off Station Road, Market Bosworth.*

The LHA note that the Applicant has stated that the traffic flows for these developments, as well as those at Kyngs Golf Club have been considered when assessing the impact of the proposals.

The LHA advise that typically, it would expect the traffic flow for each development to be included within the Applicant's traffic flow diagrams. Furthermore, the LHA is aware of the following live applications within Market Bosworth, which would also require consideration:

- *24/00831/OUT - Outline planning application for the erection of up to 100 dwellings (including 40% affordable housing) with public open space, landscaping, sustainable drainage system (SuDS) a vehicular access point and the demolition of one residential dwelling. All matters reserved except for means of access (re-submission of 22/00167/OUT)| Land north of Shenton Lane, Market Bosworth .*
- *25/00027/OUT - Outline planning permission for a leisure and recreation development to include a family health and wellbeing spa, holiday lodges and a wedding and conference venue. (All matters reserved except for access)| Land east of Bosworth Water Park, Wellsborough Road, Market Bosworth.*

Typically, the LHA would require the Applicant to consider all live planning applications as part of a sensitivity test. It should be noted that the trip rates proposed for application 24/01079/OUT are lower than those accepted by the LHA for applications 24/00560/HYB and 24/00831/OUT and will require updating by the Applicant for that application.

Notwithstanding the above, the LHA advise that a capacity assessment would usually be required when approximately 30 or more two-way trips (e.g. 15 arrivals and 15 departures) are generated in either the AM or PM peaks. On this basis, following a review of the proposed trip rates and clarity on a planning condition restricting the use of the spa, should the level of two-way trips reach approximately 30, a capacity assessment which considers all the above will be required.

Should the Applicant need to undertake a traffic count, a permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire. A permit can be obtained by contacting ndi@leics.gov.uk. Alternatively, Leicestershire County Council offer a data collection service including a large traffic count database. For details of the services available please contact ndi@leics.gov.uk.

Internal Layout

Holiday Lodges

The internal layout for the holiday lodge development is not for consideration at this stage. The Applicant has suggested that at least one parking space per lodge would be provided, which is welcomed by the LHA.

In principle, the LHA accepts that guests staying at the lodges should not need to drive to the spa/ golf clubhouse. However, it should be noted by the LPA that the furthest lodges could be located an approximate 1.2km walk from the proposed spa and the golf clubhouse. The submitted Planning Statement suggests that 'call on demand' electric buggies would be provided to transport guests between the lodges and the spa. The LHA advise that should guests decide to drive to the spa or golf clubhouse/ function room, this could create pressure on parking spaces for the golf club, clubhouse/ function room and hotel. This could be throughout the day and into the evening, particularly if the buggies were not available after a certain time given guests may be required to walk back to the lodges from the spa or clubhouse in the dark, or during inclement weather.

The LHA does not believe there would be any reasonable or enforceable way of preventing those staying in the lodges from driving to the golf club/ clubhouse/ hotel car park should they choose to do so.

Health Spa

Full planning permission has been applied for in respect of the golf leisure and spa. The Applicant has stated that additional parking provision for the spa is not required due to it not being open to the public and sufficient parking already being provided for the hotel and golf club. Whilst the LHA accept that a level of parking has already been accepted for the provision of the golf club/ clubhouse/ function room and hotel, as advised above, the proposed holiday lodges are some distance away from the proposed spa and there could be potential for guests to drive to the car park should they choose to do so.

The proposals could result in additional staff being employed at the site and the number of staff employed by the proposals should therefore be clarified by the Applicant. Additional parking may therefore be required to cater for staff. Furthermore, the proposals could mean those staying at the hotel, lodges or playing golf stay on-site longer than they perhaps would have done so, or on the day of departure/ arrival. For example, if a guest checks out of the hotel/ lodges and spent the day at the spa, it is unclear where they would be required to park. In addition, should those travelling to stay at a lodge or the hotel intend to visit the spa or golf course prior to checking in, there could be a considerable number of vehicles requiring parking spaces. How parking is to be managed should therefore be clarified by the Applicant.

The LHA considers there is limited risk to parking occurring within the adopted highway given the distance of the site from Station Road, however additional demand on parking, should it not be managed, could lead to parking in un-designated areas along the access road or elsewhere within the site. In the event application reference 24/01079/OUT was granted planning permission, in time this could also lead to on-street or inappropriate parking along the development roads given it fronts the golf club development.

The LHA advise the LPA it cannot accept a scenario where the spa is constructed without a car-park, no parking provision is proposed as part of the full application for the health spa. Therefore, the LHA has also considered a scenario where the spa is constructed prior to the golf club/ clubhouse/ hotel development or the lodges themselves.

In the event an appropriate condition could not be implemented restricting the use of the spa to the hotel/ lodges/ golf club members, so the spa could open just with members of the public could use the site, appropriate parking provision for the spa will be required within the red line boundary and will need to be conditioned as part of this application.

Transport Sustainability

The proposed holiday lodges are a significant walk from amenities such as public transport provision, convenience stores and public houses within the centre of Market Bosworth.

Nevertheless, the LHA accept that the nature of the proposals means that guests staying at the site are likely to be using the on-site facilities such as the spa and golf course once they have arrived.

In addition, it appears there would be cooking facilities provided within each holiday lodge. On this basis, the LHA advise it could not justify the requirement for the Applicant to re-route the existing bus service which travels through the centre of Market Bosworth to cover Station Road fronting the site.

Public Rights of Way

The application site is crossed by Public Footpaths S68 and S70 as shown below where HMD drawing number HMD/PD/0574/01 is overlaid with the alignments legally 'fixed' by the Definitive Map of public rights of way, the official record, plus greyscale Ordnance Survey Mastermapping to show the context.

Footpath S70 crosses several of the fairways north of the proposed Golf Leisure and Health Spa. The Site Plan seems to show a partial re-design of the golf fairways. The 2nd hole fairway crosses Footpath S70 effectively obstructing the legally-defined route and offering instead an unauthorised diversion round the edges of the site boundary. Any planning application should include a legal diversion of this route to ensure the route is lawful.

Footpath S68 runs along an existing track crushed-stone and earth track across the northeastern part of the site. That track is also the intended access for the 126 Golf Holidays Lodges, the site for which would start next to the S68 Footpath route. It should be noted that Footpath S68 is part of the '*Leicestershire Round*' long-distance walking trail which is popular with walking groups and for sponsored charity walks and runs. The proposal is noted to use electric buggies for transport guests, or staff and materials, to the lodges from the car parking near the Clubhouse. However, more detail is needed on what measures will be taken to minimise conflicts between the buggies and members of the public, including any groups of walkers or charity runners, who currently enjoy using the route unhindered.

Paragraph 105 of the NPPF requires that 'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users' This requirement is echoed in the National Design Guide para 82. The NPPF is underpinned by Planning Practice Guidance (PPG) which references the Defra Rights of Way circular (1/09). The NPPF, PPG and Circular 1/09 are applied locally by the Leicestershire Highway Design Guide, in which the guidance on Development and public rights of way is at: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-way>.

A scheme of treatment for the Public Rights of Way will be required as a condition in the event the LHA is able to advise no objection to the proposals in the future. This will need to include the management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRow alignments, or any legal diversion order to ensure they do so in future; and any new construction works and other enhancement. Physical construction should address width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the Leicestershire County Council's adopted guidance on Development and Public Rights of Way. The Applicant may however wish to provide details at this stage.

Closing

Based on the above, the following information should be submitted to the LPA for consideration by the LHA:

- Improvements to the site access in line with other recent developments at the Golf Club;
- Details of a proposed planning condition to restrict the use of the spa;
- Updated trip generation for the holiday lodges to take into account both weekdays and weekends and exclude surveys undertaken during the Covid-19 pandemic;
- Potentially trip generation analysis in respect of the spa should this be available for public use and depending on the wording of any suggested planning condition;

- Capacity assessments of at least the site access depending on the level of trips generated by the proposals following the above;
- Clarity in respect of staff numbers and parking arrangements for staff, as well as how parking would be managed to avoid pressures on parking within the site; and
- Potentially provision of a car park for the spa as part of the full application, depending on how the use will be restricted.

Date Received
6 January 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
13 March 2025