

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: 24/00016/FUL

Highway Reference Number: 2024/0016/04/H/R1

Application Address: Land Adjacent To 12 Newquay Close Hinckley Leicestershire

Application Type: Full

Description of Application:

Re-consultation. Change of use of agricultural land to provide 4no gypsy and traveller pitches including day rooms with associated landscaping. (Re-submission 23/00655/FUL)

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr D Winter

County Councillor: Cllr Michael Mullaney

Parish:

Road Classification: Class A

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 the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (December 2023) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reason for refusal:

1. This proposal, if permitted, would lead to an intensification of vehicular movements turning onto and off the A47 Normandy Way, which is a busy high-speed road, where the turning manoeuvres could be an additional source of danger to road users, which is not in the interests of highway safety, and is contrary to Policy IN5 of the Leicestershire Highway Design Guide and paragraphs 114 and 115 of the National Planning Policy Framework (NPPF) (December 2023).

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application to provide 4no. gypsy and traveller pitches including day rooms with associated landscaping at land adjacent to 12 Newquay Close, Hinckley.

Within its first observations, submitted to the LPA on 29th February 2024, the LHA advised the following reasons for refusal:

1. *This proposal, if permitted, would lead to an intensification of vehicular movements turning onto and off the A47 Normandy Way, which is a busy high-speed road, where the turning manoeuvres could be an additional source of danger to road users, which is not in the interests of highway safety, and is contrary to Policy IN5 of the Leicestershire Highway Design Guide and paragraphs 114 and 115 of the National Planning Policy Framework (NPPF) (December 2023).*
2. *The applicant has failed to demonstrate that an appropriate and safe vehicular access would be provided to the proposed development contrary to paragraphs 114 and 115 of the NPPF (December 2023).*

The Applicant has subsequently submitted the following additional information in support of the proposals:

- A Stage 1 Road Safety Audit (RSA1) authored by Tutum Consulting (Report Reference: 2024/003/0322-01);
- A Designer's Response authored by Lennon Transport Planning;
- Lennon Transport Planning drawing number MW/0346/AD/23 Rev. A (access details); and
- Lennon Transport Planning drawing number MW/0346/AD/23 Rev. A (vehicle swept paths).

The LHA note that the above access details and vehicle swept path drawings have the same drawing number.

Site Access

The LHA previously advised that the Applicant had failed to provide an RSA1 and as a result, the site access arrangements could not be considered in further detail.

As a result, an RSA1 of the access arrangements has now been undertaken. This has raised four problems in respect of the site access and recommended solutions as summarised below:

1. **Risk of tail end and side swipe type collisions.**
It is recommended that additional dedicated right turn provision is provided.
2. **Risk of cycling and vehicle collisions.**
It is recommended that priority and measures for cyclists at the interface of the proposed access are confirmed.
3. **Footway/cycle interface with proposed access (To be read in context with problem 2 above).**
It is recommended that this traffic sign is relocated to the west, and consideration of a new side road ahead warning sign relating to the proposed access.
4. **Risk of tail end collisions.**
It is recommended that the eastern radii is increased and/or access is widened. Vehicle tracking should also be carried to confirm viability of the proposals.

The Applicant has accepted the solutions to problems 2, 3 and 4 however disagrees with problem 1. The Applicant considers the projected development traffic associated with the site will be minimal and thus the provision of a dedicated right turn lane would be disproportionate to the development.

After giving consideration to the proposals, the LHA accept that a ghost right turn lane would not be necessary to serve the site, however, in the event the LPA were mindful to grant planning permission, amendments to the central hatching in the vicinity of the site access could be undertaken at detailed design as this area does offer some space for vehicles to wait in the highway whilst turning right. In addition, features such as tactile paving and appropriate give way lining for the footway/ cycleway could be considered at detailed design.

It should be noted the widening of the access may affect highway trees. A tree survey, Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) will need to be undertaken and submitted to LCC. This could also be considered at detailed design.

On the basis that the proposed access has now been subject to a satisfactory road safety audit, to which a satisfactory Designer's response and satisfactory amended drawings have been provided, the LHA no longer advises its previous second reason for refusal.

Access to the Road Network Policy

Notwithstanding the above, the LHA advises that previous comments raised in respect of the access to the road network policy within the LHA's 29th February 2024 observations remain in full. The LHA have concerns that the proposals would lead to an intensification of vehicular movements turning onto and off the A47 Normandy Way, which forms part of both the Resilient Network and Major Road Network, is a busy high-speed road and where the turning manoeuvres could be an additional source of danger to road users.

All other comments raised as part of the LHA's previous response remain in full.

Date Received
28 March 2024

Case Officer
Ben Dutton

Reviewer
DH/ AW

Date issued
15 April 2024