

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: 25/00444/FUL

Highway Reference Number: 2025/0444/04/H

Application Address: Smiths At Pinwall Atherstone Road Pinwall Atherstone Leicestershire CV9 3NB

Application Type: Full

Description of Application: Access to existing garage and workshops (retrospective)

GENERAL DETAILS

Planning Case Officer: Sophie Iliffe

Applicant: Mr S Chaudry

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Sheepy

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 on a planning application at Smiths at Pinwall, Atherstone Road, Pinwall, Atherstone, Leicestershire, CV9 3NB, for the '*Access to existing garage and workshops (retrospective)*'.

The LHA have reviewed the following documents that have been submitted by the Applicant in support of the proposals:

- Application Form.
- Dynamic Transport Planning Technical Note. Dated April 2025.
- Hayward Architects Site Layout. Drawing Number 16.
- Hayward Architects Location & Block Plans. Drawing Number 17.

The LHA note the relevant planning history of the site below:

- 24/00203/FUL | Change of use from car storage facility (Sui-generis) to veterinary practice (Class E) | Unit C Former Smiths Garage Ltd Atherstone Road Pinwall Atherstone Leicestershire CV9 3NB. Withdrawn during consideration.
- 24/01148/FUL | Demolition of existing structure and erection of new building (Retrospective) | Smiths at Pinwall Atherstone Road Pinwall Atherstone Leicestershire CV9 3NB. Permitted March 2025.

Site Access/ Layout

The Applicant seeks permission for the use of a new access to serve the existing garage and workshop. The access is located on Atherstone Road, a B-classified road subject to a 40mph speed limit.

The LHA advise that on the basis the proposed access is considered to be unauthorised; it has not been demonstrated that the access is safe and suitable to serve the development in accordance with the National Planning Policy Framework (NPPF) (2024).

Due to the nature of Atherstone Road, Policy 2 of the Leicestershire Highway Design Guide (LHDG), available at <https://www.leicestershirehighwaydesignguide.uk/highway-development-management/highway-development-management-policies/hdm-policy-2-access-existing> will be considered. Information regarding actual speeds and vehicle volumes for Atherstone Road should be provided within a revised submission.

Vehicular visibility should be demonstrated in line with Table 6 and Table 7 of the LHDG, which is shown below.

Table 6: Visibility splays (Use figures for HGV and buses if these vehicles make up more 5% of actual or predicted total traffic flow)

Assessed likely vehicle 85th percentile vehicle speed (mph)	Measured 85th percentile vehicle speed (mph)	Visibility distance at junctions, bends and vertical crests (m) Light vehicles	Visibility distance at junctions, bends and vertical crests (m) HGV
15	11 to 15	17 (a)	19 (a)
20	16 to 20	25 (a)	27 (a)
Speeds on new residential development roads should normally be controlled to 20mph or less (b)	21 to 25	33 (a)	36 (a)
	26 to 30	43 (a)	47 (a)
	31 to 35	54 (a)	59 (a)
	36 to 40	65 (a)	73 (a)
	41 to 44	120 (b)	120 (b)
	45 to 53	160 (b)	160 (b)
	54 to 62	215 (b)	215 (b)
	63 to 75	295 (b)	295 (b)

(a) Based on the Manual for Streets documents, 'adjusted for bonnet length'

(b) Based on DMRB, desirable minimum criteria for deceleration rate (0.25g) and reaction / perception time (2 seconds). The application of a higher standard value for deceleration rate and a lower standard value for reaction time would need to be based on a robust evidenced justification for the location under consideration to be agreed with the council.



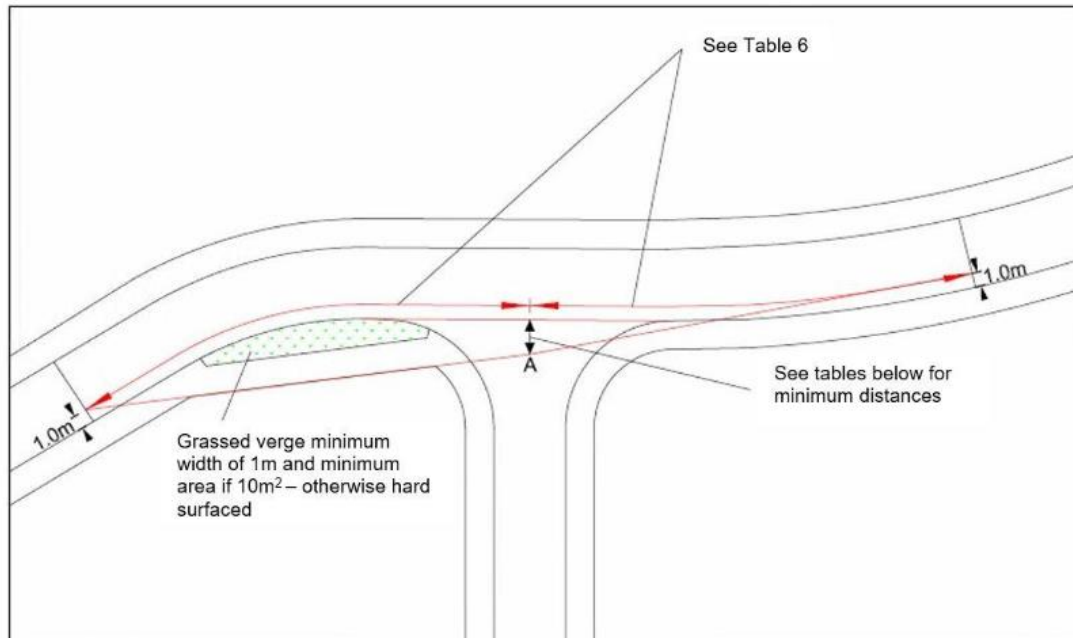


Figure 7: Visibility at junctions

Drawing Number DTP/3706525/ATR001 shows visibility splays of 2.4m x 66m and 2.4 x 120m in both directions, however the drawing should be revised upon clarity on actual road speeds and be designed in accordance with Figure 7 of the LHDG.

The Applicant should commission a speed and volume survey to demonstrate that the achievable splay lengths would be sufficient for the measured 85th percentile vehicle speeds. This would need to be carried out using an Automatic Traffic Counter – not Manual Speed Survey – to avoid influencing driver behaviour.

Leicestershire County Council's (LCC) Network Data & Intelligence Team may already have data on record which can be purchased, or alternatively would be able to provide a quote to undertake a survey if necessary. They can be contacted on 'ndi@leics.gov.uk'. They would also need to be contacted to arrange the required permit for a traffic survey.

The splays should be free of any obstruction above 0.6m from the ground and should be contained solely within land under control of the Applicant or the LHA. LCCs formal opinion of the extents of the public highway can be confirmed by contacting hre@leics.gov.uk.

Guidance on how to construct visibility splays can be found via the link below. Splays should be measured from a 2.4m set back distance from the edge of the carriageway and drawn to a 1m offset of the nearside carriageway. Further information can be found via: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/visibility-splays#assessingvisibility>.

The Applicant has submitted drawing number 16 (Site Layout), which shows the access arrangement, however the LHA would require a plan which can be clearly measured and conditioned, if required.

Access arrangements should be designed in accordance with Table 15 of the LHDG <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/developments->

[served-private-drives-and-areas#generallayout](#). Gates would need to open inwards and be set back by a distance as to adequately allow the largest expected vehicle on site to sit off the highway. With any revised access the appropriate permits will need to be obtained by the Applicant prior to any works.

Details of expected vehicles to the site should be provided and the access should be suitable to serve two-way movements.

The Applicant is required to provide an independent Stage 1 Road Safety Audit (RSA1) of the site access, along with a Designer's Response to any problems raised. The LHA note that the location of the access, close to the junction radii of Atherstone Road with Grendon Road may be raised on this audit.

The existing access is via Grendon Road, a B-classified road subject to a 40mph speed limit, with any revised submission, details should be provided regarding the use of this access and the reasoning behind a secondary access being constructed. Drawing 16 (Site Layout) refers to a 'link through site', the LHA require further information on the nature of this and if any one-way system is proposed through the site. The LHA usually would not support a development with two access points. The Technical Note states *'As part of the development, delivery and servicing vehicles will use the northern access point serving the wider site, and egress the site to the east, via the junction with the B4116.'* Clarity is required on the route through the site and how this one-way system will be managed.

Drawing DTP/3706525/ATR001 shows swept path analysis of a box van. It should be stated on the drawing the speed of which the vehicle is travelling. A speed of 15kph is required, with ideally 0.5m clearance to kerbs provided. Upon submission on a revised access plan in line with the LHDG a further swept path analysis of a 7.5t box van and a refuse vehicle should be provided, as the largest expected vehicles on site. Guidance on swept path analysis is available at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/swept-path-analysis>.

From the Applicant's submitted location plan (red line plan), included within the Applicants red line is land within the highway boundary.

The Applicant is strongly advised to obtain an accurate depiction of the highway extents, by contacting the Highway Records and Enquiries team at the LHA via HRE@leics.gov.uk and submit revised proposals accordingly.

Highway Safety

There have been four recorded Personal Injury Collisions (PICs) within 500m of the proposed site access in either direction within the most recent five-year period for which data is available to the LHA, three of which were classed as serious in severity, and one was classed as slight in severity.

The acceptability of the proposals would be contingent on the delivery of a safe and suitable access as required by the National Planning Policy Framework (2024) to ensure that new highway safety issues would not be introduced to the vicinity.

Date Received
12 May 2025

Case Officer
Amy Stone

Reviewer
BD

Date issued
30 May 2025