

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: 24/00996/FUL

Highway Reference Number: 2024/0996/04/H

Application Address: Swedish Cottage Leicester Road Earl Shilton Leicester Leicestershire LE9 7TJ

Application Type: Full

Description of Application: Construction of meeting hall (Class F1) with associated works following the demolition of existing commercial building.

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mostyn Gospel Hall Trust

County Councillor: Richard Allen

Parish: Earl Shilton

Road Classification: Adopted Unclassified

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 consulted on a planning application at Swedish Cottage Leicester Road Earl Shilton Leicester Leicestershire LE9 7TJ for the construction of a meeting hall (Class F1) with associated works following the demolition of an existing commercial building.

The LHA acknowledges the relevant planning history at the site which is noted below:

- 23/00596/FUL: Change of use and alteration to existing commercial building (Class E) to meeting hall (Class F1) with associated access, parking and ancillary works – Approved by the Local Planning Authority on 15 June 2023.

- 24/00035/HYB: Residential development of up to 6 dwellings (outline - access only) and full application for change of use of commercial building (Class E) to meeting hall (Class F1) with associated parking – Withdrawn by the Applicant 29 August 2024.

Site Access

The site is located on an adopted, unclassified road that is officially known as 'From C5117 Leicester Road to houses to C5117 Leicester Road' and is subject to a 60mph speed limit. At either end the road joins Leicester Road, which is an adopted, 'C' classified road, subject to a 50mph speed limit which provides a link between Earl Shilton and the A47.

The Applicant proposes to amend the existing access to serve the meeting hall. The drawing titled 'Proposed Site Plan' drawing no. 23.4266.23, shows an access that is 6m wide for the first five metres from the highway. The Applicant indicates that the existing gate will be removed and a new gate will be setback 5m from the highway boundary. The access will be surfaced with a hard bound material for at least the first 5m behind the highway boundary. The LHA is satisfied that this is in general accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>).

Highway Safety

The LHA note that two Personal Injury Collisions (PICs) have been recorded in the locality in the last five years that occurred within 500 metres of the proposed access. One of which was classified as 'slight' in severity and the other classified as 'serious' in severity. The LHA has considered the circumstances of the above PICs and is satisfied that the development proposal would not exacerbate the likelihood of further such incidents occurring.

The acceptability of the proposals would, however, be contingent on the delivery of a safe and suitable access as required by the National Planning Policy Framework (December 2023).

Trip Generation

The Applicant has advised that the hall is to provide a meeting place for groups of around 38-45 people and that any larger gatherings will be held at larger meeting halls elsewhere.

The LHA accept that the proposed development does not represent an unacceptable intensification of an existing access when compared to the sites existing use.

Internal Layout

The LHA have reviewed the drawing titled 'Proposed Site Plan' drawing no. 23.4266.23, which indicates a parking provision of 14 parking spaces, in addition to two disabled parking bays, with each measuring 5.5 metres by 2.4 metres which the LHA advise in accordance with Part 3, Paragraph 3.165 of the LHDG. The LHA also welcome that there is sufficient space afforded for vehicles to turn so that the highway is approached in a forward gear.

Paragraph 5.5 of the Planning Statement, created by KC Planning and Development (October 2024) states that a car share plan is proposed that will see the local congregation arriving and departing the meeting hall in a total of nine vehicles.

Whilst it is unlikely that it would be reasonable or enforceable to apply an NPPF compliant planning condition that limits the number of vehicles that use the access, the LHA welcome the Applicants intention to limit the number of vehicles accessing the site.

In addition, it is acknowledged that surrounding the site on both sides of the carriageway are 12 hour stay parking bays which would be suitable to accommodate any occasional overspill parking demand.

Conditions

1. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary and any gates shall be hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (December 2023).

2. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the drawing titled 'Proposed Site Plan' drawing no. 23.4266.23. 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).

Date Received
12 November 2024

Case Officer
Harry McNicholas

Reviewer
BD

Date issued
03 December 2024