

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: 24/01016/P3CQ

Highway Reference Number: 2024/1016/04/H

Application Address: 45 Bagworth Road Newbold Heath Newbold Verdon Leicester Leicestershire LE9 9NB

Application Type: Full

Description of Application: Conversion of existing barn to 2 residential units

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr & Mrs Simon Kirby

County Councillor: Ross Hills

Parish: Newbold Verdon

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 by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the conversion of an existing barn to two residential units.

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

- Planning Statement (dated November 2024);
- Benchmark Design Build Ltd drawing number SK-PL-001.1 (Location Plan, Aerial Photo and Existing & Proposed Block Plans); and
- Benchmark Design Build Ltd drawing number SK-PL-002.1 (Existing and proposed floorplans and elevations).

The LHA are aware of outline (all matters reserved) application reference 22/00624/OUT for the demolition of the existing barn and the construction of five dwellings within the wider site. The LHA advised refusal of those proposals, and the application was refused planning permission by the

LPA on 31st July 2023. This was on three grounds including a highways reason for refusal, which is reproduced below:

The proposal, if permitted, would create a new access onto a Classified B road where measured 85th percentile speeds are in excess of 40mph, contrary to Policy IN5 of the Leicestershire Highway Design Guide, where turning manoeuvres could lead to dangers for highway users, contrary to paragraphs 110 and 111 of the National Planning Policy Framework (2021).

It is understood the barn is used for the storage of hay, fertilisers, feed and farm materials as well as farm vehicles such as a tractor and harrow as well as fencing materials and the storage of small tools, etc. This is also in support of the grazing of sheep and other animals in the adjacent field to the east.

These observations refer to the current version of the Leicestershire Highway Design Guide (LHDG - <https://resources.leicestershire.gov.uk/lhdg>). It should be noted that a revised version of the LHDG is expected to be released shortly.

Trip Generation

The Applicant has stated within Paragraph 5.1.2 of the Planning Statement that traffic to/ from the site would be similar, or potentially less, than potential agricultural use of the barn. The LHA notes from application reference 02/00566/FUL that the barn and neighbouring menage were conditioned for personal use only. This suggests to the LHA that potentially the level of trips generated by the site at present could be lower than if the site was available for commercial use. The LHA therefore request that the Applicant provides details in respect of the current level of trips the site could generate under the personal use and compares these to the level of trips the proposed dwellings could generate. Clarity as to whether additional trips would be required to/ from the site because of the loss of the barn would also be required, along with the types of vehicles

It should be noted that whilst the Planning Statement details that one of the two new dwellings would be 'employed by the applicant', the LHA would require this to be secured by condition in some way for this to be maintained in perpetuity. It is also unclear whether the Applicant travels to the site to access the current barn/ menage. As part of application reference 22/00624/OUT, No. 45 Bagworth Road, which shares the same access as the proposed development, was included within the Applicants blue line boundary. As such, it is unclear if the retention of one of the new dwellings by the Applicant could still in effect result in an increase in trips, as the Applicant lives adjacent to the site and therefore the new dwelling could be occupied by an additional party or, No. 45 sold to a third party.

Site Access

Access to the site is proposed via the existing dropped kerb access onto Bagworth Road, which is a B classified (B585) road subject to a 40mph speed limit. No amendments are proposed to the existing access arrangements. The LHA advise the LPA that the access does not however fall within the Applicants red line boundary.

As part of the previous application, the Applicant undertook a speed survey which indicated average 85th percentile speeds of 46.7mph northbound and 41.7mph southbound at the location of the site access. The LHA advised that in accordance with Table DG4 of the LHDG, based on the above 85th percentile speeds, the visibility splays required at the proposed site access would be 2.4m x 160m to the south of the access and 2.4 x 120m to the north of the access. The LHA also advised the submitted drawing which detailed the visibility splays lacked sufficient detail to establish whether 2.4 x 160m could be achieved to the south, given the 1:1000 scale.

Following the trip generation exercise, should it be shown that the proposals would result in an intensification in use of the access, the LHA requests that the Applicant demonstrates suitable visibility splays at the access in accordance with recorded speeds and Part 3, Table DG4 of the LHDG.

In addition, the LHA advises that the access should be improved and designed in accordance with Part 3, Figure DG17 of the LHDG. Whilst a 4.25m width is required for an access serving between two to five dwellings, the Applicant may wish to provide a wider access to accommodate any farming vehicles or larger vehicles associated with the menage if necessary. The site access drawing should include the removal of the existing gates at the highway boundary, with no gates being installed at the access within a minimum of 5.0m from the back of the pedestrian footway. In addition, hard bound surfacing would be required for the first 5.0m behind the highway boundary.

Highway Safety

Based on available records to the LHA, there has been one recorded Personal Injury Collision within 500m either side of the site access within the last five years. This occurred in June 2023 at the junction of Bagworth Road with Merrylees Road and was recorded as serious. This involved a vehicle and a cyclist at the junction. The LHA will consider highway safety in further detail following the provision of additional information in respect of trip generation.

Internal Layout

Benchmark Design Build Ltd drawing number SK-PL-001.1 provides details of the internal layout of the site.

Four car parking spaces are shown on the drawing, which the LHA consider to be appropriate for the two three bed dwellings, as per Part 3, Paragraph 3.151 of the LHDG. The LHA is also satisfied that there is sufficient turning space within the site to enable vehicles associated with the two dwellings to arrive and leave the site in a forward gear. The LPA should note that the parking and turning areas are not however shown within the Applicant's red line boundary.

The LHA do however request clarity from the Applicant in respect of parking and turning facilities for the menage, on the basis that the barn would be removed and the existing hardstanding area would partially be used for parking for the two dwellings.

Transport Sustainability

The site is an approximate 730m walk from bus stops served by regular services between Leicester, Hinckley and Coalville. Newbold Heath is however detached from the village of Newbold Verdon and is a considerable walk from local primary schools and other amenities such as a convenience store for example. In the view of the LHA, this does reduce the sustainability of the site in transport terms as it could lead to an increase in vehicular trips, however the LHA is satisfied for the LPA to consider transport sustainability alongside its own sustainability considerations for the site.

Closing

The LHA advises the following additional information should be submitted to the LPA for further consideration by the LHA:

- Further information in respect of trip generation as detailed above;
- Demonstration of appropriate vehicular visibility splays in line with recorded vehicle speeds;
- Improvements to the site access in accordance with LHDG guidance;

- Clarity in respect of parking and turning for the menage; and
- Potentially inclusion of the parking and turning areas within the red line boundary, as well as the site access.

Date Received
12 November 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
3 December 2024