

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: 24/00914/OUT

Highway Reference Number: 2024/0914/04/H

Application Address: Burroughs Road Recreation Ground Burroughs Road Ratby Leicester Leicestershire LE6 0XZ

Application Type: Outline (with access)

Description of Application: Outline planning application (with all four matters reserved apart from access) for a phased mixed-use development comprising about 470 dwellings (Use Class C3) or, in the alternative, about 450 dwellings and care home/extra care facility (Use Class C2/C3).

Provision of a community hub (Use Class F2); 1FE primary school (Use Class F1); and associated operations and infrastructure including but not limited to site re-profiling works, sustainable urban drainage system, public open space, landscaping, habitat creation, internal roads/routes, and upgrades to the public highway.

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: Lagan Homes England

County Councillor: Cllr Ozzy O'Shea

Parish: Ratby

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 the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application for the following development on land at Burroughs Road Recreation Ground Burroughs Road Ratby:

'Outline planning application (with all four matters reserved apart from access) for a phased mixed-use development comprising about 470 dwellings (Use Class C3) or, in the alternative, about 450 dwellings and care home/extra care facility (Use Class C2/C3). Provision of a community hub (Use Class F2); 1FE primary school (Use Class F1); and associated operations and infrastructure including but not limited to site re-profiling works, sustainable urban drainage system, public open space, landscaping, habitat creation, internal roads/routes, and upgrades to the public highway'.

The development site is located to the west of the village of Ratby, Burroughs Road bisects the northern and southern parcels of the site and Desford Lane lies to the south, beyond its southern boundary. The applicant secured planning permission for Phase 1 of this development for up to 75 dwellings in September 2023 (LPA ref: 22/00648/OUT). The applicant has also provided details of another development for 90 dwelling units, which is adjacent to Phase 1 (LPA ref: 20/00462/FUL).

A location plan alongside other consented developments in the area is included in Figure 1 below:

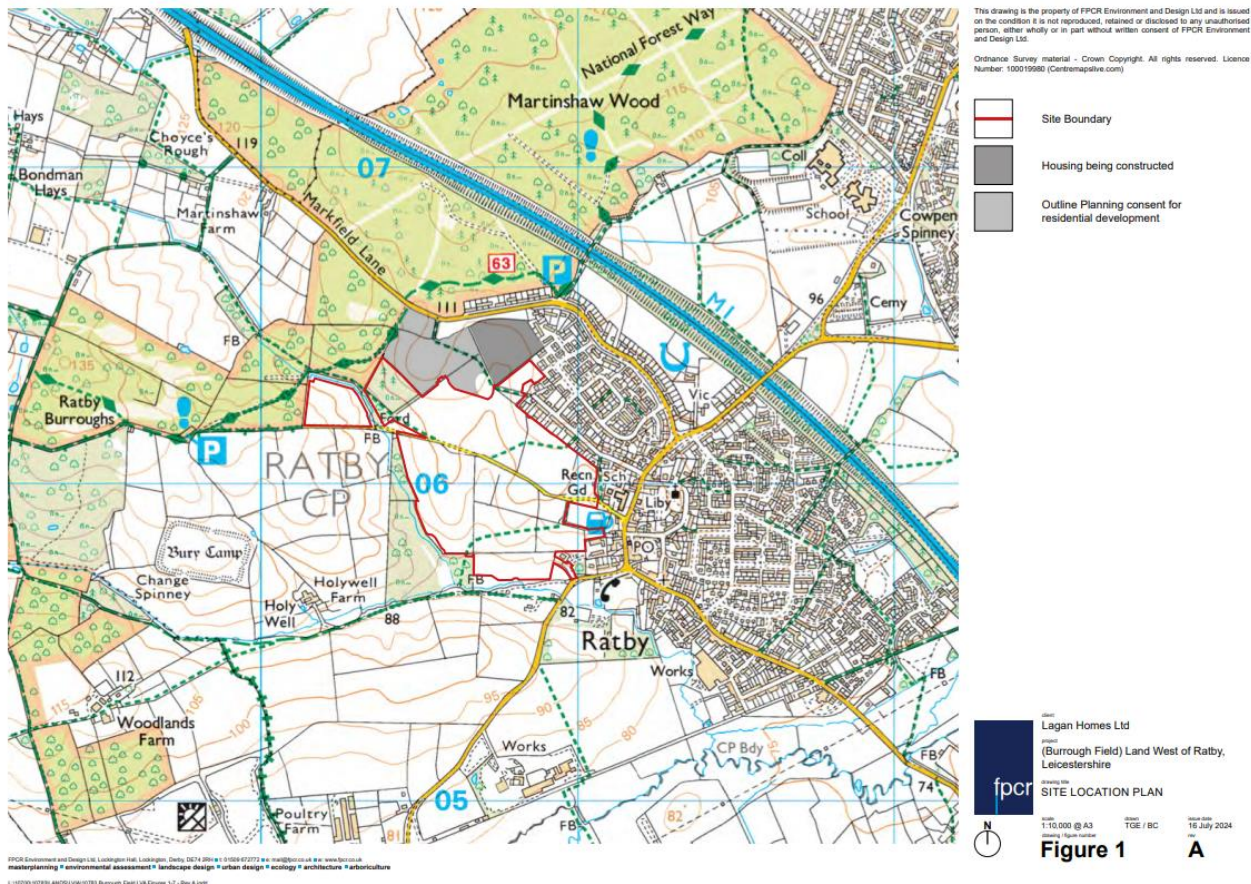


Figure 1: Site Location Plan reproduced from FPCR Environment and Design Ltd drawing number: TGE / BC, 'Burrough Field – Land West of Ratby - Site Location Plan', Revision A, dated 16 July 2024.

The applicant has submitted the following relevant documents / plans to support the planning application:

- Planning application form;
- Marrons Planning Statement, 'Land West of Ratby - on behalf of Lagan Homes Limited', dated 10 September 2024;
- FPCR Environment and Design Ltd drawing number: TGE / BC, 'Burrough Field – Land West of Ratby - Site Location Plan', Revision A, dated 16 July 2024;
- FPCR Environment and Design Ltd Design and Access Statement, 'Land at West of Ratby, Leicestershire', dated August 2024;
- FPCR Environment and Design Ltd drawing number: 10783-FPCR-XX-XX-DR-L-0007, 'Framework Plan - Burrough Field, Land West of Ratby', Revision P13, dated 10 July 2024;
- FPCR Environment and Design Ltd drawing number: 10783-FPCR-XX-XX-DR-L-13, 'Illustrative Masterplan - Burrough Field, Land West of Ratby', Revision P04, dated 10 July 2024;

- Pell Frischmann Transport Assessment (TA), 'Land West of Ratby', Report Ref: 106232-PEF-ZZ-XX-RP-TS-000002, Revision P3, dated 6 September 2024;
- Pell Frischmann Transport Assessment Addendum (TAA), 'Land West of Ratby', Report Ref: 109003-PEF-ZZ-XX-RP-TP-000006, Revision P1, dated 6 September 2024;
- Pell Frischmann drawing number: 109003-PEF-ZZ-XX-DR-TP-00001, 'Desford Lane Site Access Drawing', Revision P03, dated 28 May 2024;
- Pell Frischmann drawing number: 109003-PEF-ZZ-XX-DR-TP-00002, 'Burroughs Road Internal Access Design', Revision P01, dated 2 May 2024;
- Pell Frischmann drawing number: 109003-PEF-ZZ-XX-DR-TP-00008, 'Phase 1 - Site Access Drawing', Revision P01, dated 4 July 2024;
- Pell Frischmann drawing number: 109003-PEF-ZZ-XX-DR-TP-00009, 'Phase 2 - Site Access Drawing', Revision P01, dated 12 August 2024; and
- Pell Frischmann Framework Travel Plan (FTP), 'Land West of Ratby', Report Ref: 106232-PEF-ZZ-XX-RP-TP-000003, Revision P3, dated 6 September 2024.

The LHA has now had the opportunity to review some of the evidence submitted and is pleased to offer the following comments on the site access arrangements, highway safety, internal layout, sustainability of the site in transport terms, Public Rights of Way, and Framework Travel Plan for consideration or further action by the applicant. It should be noted that the LHA undertook a site visit on Thursday 7 November 2024.

Site Accesses

The LHA acknowledge the intention to provide three vehicular accesses to the proposed development and additional information regarding the constraints associated with the location of each site access. The proposed vehicular accesses to the site are summarised below:

- Simple priority junctions, off Markfield Road and Desford Lane; and
- Extension to new vehicular access provided for adjacent development to serve Parcel D.

Markfield Road

According to the applicant the access off Markfield Road would form an extension to the approved access from the adjacent consented development approval (22/00648/OUT – 75 dwellings) which forms a 5.5m wide access with 6m wide corner radii in line with Residential Access Road specification in the Leicestershire Highway Design Guide (LHDG - available at: <https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide>).

The LHA understands that a 2m wide footway will also be implemented as part of the adjacent consented development along the southern side of Markfield Road to link with existing infrastructure proposed as part of planning approval which is currently being built out. A footpath/cycle path is also proposed as part of the adjacent consented development routing west of the main access road linking with Public Right of Way R50.

The site access off Markfield Road also benefits from speed reducing measures linking in with existing features to the east into Ratby and has been subject to a Stage 1 Road Safety Audit (RSA1). The contents of the RSA1 are considered in more detail below.

The internal spine road which is 5.5m for Phase 1 which was determined as part of that application and then will widen within the Phase 2 site to provide a 6.75m link road to accommodate the proposed development.

Desford Lane

Access via Desford Lane will be through the existing Pear Tree Office Park. The site access will be 6.75m in line with the LHDG requirements for a residential access road providing access to a school. The applicant has confirmed that the 6.75m width will be maintained throughout the internal layout to a point within the site where it will link into Phase 1.

The applicant has provided a 3m wide footway / cycleway along the northern side of the existing access as there is little or no demand to the south.

Parcel D Access

The last vehicular access as part of the proposals will also be an extension to an existing access off Markfield Road. As referenced above a new vehicular access was provided as part of the proposals for 90 dwellings approved under LPA ref: LPA ref: 20/00462/FUL.

The LHA note that the masterplan indicates this would only serve a relatively limited number of dwellings and does not show a connection through to the rest of the site.

Stage 1 Road Safety Audit.

Following a RSA1 of the site access proposals, the RSA1 identified two issues with the Markfield Road access that are listed below:

1. Risk of pull-out collisions at the Markfield Road access due to obstructed left-hand visibility splay east of proposed access; and
2. Distances between speed control measures may increase risk of collisions due to inappropriate speeds.

The LHA has reviewed the contents of the RSA1 and Designers Response and they are accepted. However, the LHA would advise the applicant to update the RSA1 or commission a new RSA to include the proposed Toucan crossing (further details below). There does not appear to be any evidence that a Toucan crossing is required as part of the proposals. Therefore, the applicant should undertake a crossing assessment in line with the guidance in Traffic Signs Manual (TSM) Chapter 6.

Notwithstanding the above, the LHA has reviewed the site access drawings against the guidance in the LHDG and offers further comments for the applicant to consider / provide on the revised drawings:

109003-PEF-ZZ-XX-DR-TP-00001 Desford Lane Site Access Drawing rev P03

- The footway to the south of the scheme would require works to the existing ditch and the applicant should be mindful that the highway boundary is likely to be along the roadside edge of the ditch.
- If a Toucan crossing is required, TSM Chapter 6 paragraph 20.1.5 states that the minimum permitted width of a Toucan crossing is 3m, where as a width of 2.4m is shown on the drawing. This should be shown on an amended plan.
- Visibility to the proposed traffic signal heads should be shown on the drawing, and this should be in accordance with TSM Chapter 6 Table 15-1.

- The junction visibility splays are shown assuming that the relocation of 30mph speed limit will result in 85th percentile speed readings of 30mph or less. There is no guarantee that relocating the speed limit will achieve this and therefore 85th percentile speed readings should be provided for the site. Visibility splays should then be based on these readings.
- Dimensions should be added to the drawing showing that the junction corner radii and carriageway width are in accordance with the LHDG Tables DG1 and DG5.
- The LHDG requires swept path analysis is undertaken for an 11.2m length refuse vehicle, fire tender and pantechinon / removal lorry, at a speed of 15kph. Ideally 0.5m clearance to kerbs should be provided. A note should be added to the drawing showing that vehicle speeds of 15kph have been used.
- There is a possibility that some highway trees are affected by the proposals. The applicant is therefore advised that these are highway assets which can hold significant Capital Asset Value for Amenity Trees (CAVAT) value and should confirm which highway trees will need to be removed as part of the proposals.

109003-PEF-ZZ-XX-DR-TP-00009 Phase 2 Site Access Drawing (Future Phase) rev P01

- LHDG Table DG1 states that no more than 400 dwellings should be served by a 5.5m wide access, with no more than 150 dwellings from a single access. The proposed site accesses using the existing 5.5m wide access roads off Markfield Rd would not meet these criteria as each already serve developments of 75 and 90 dwellings.

However, given that the Phase 1 element of the site cannot be amended to provide a 6.75m carriageway and noting that the 5.5m carriageway width is for a relatively short length, and the remainder of the spine road being 6.75m, this is considered to be acceptable.

109003-PEF-ZZ-XX-DR-TP-00008 Phase 1 Site Access Drawing (Future Phase) rev P01

- 2m wide footways should be provided on both sides of the carriageway.

Other Considerations

Notwithstanding the comments on the site access arrangements the LHA would highlight several further issues that will need to be addressed at the Section 278 (S278) detailed design stage of the scheme subject to the applicant obtaining necessary permissions.

- All S278 works in Leicestershire require core samples of the existing road pavement during the Technical Approval process. This is to ensure that the full area of existing carriageway is suitable for the intensification of use, and that there are no underlying road pavement issues which are not evident on the surface, for example a perished binder layer. The cores also assist with ensuring that the pavement design matches the existing, for example you may propose a 40mm surface course, but the existing is 50mm. We would not want a 10mm layer of existing material left in situ. Any UKAS accredited lab is suitable, their website has a useful search function that can filter geographically for local providers. This can be undertaken at the detailed design stage of the scheme.

- Confirmation that statutory undertakers are not affected by the works should be provided. This should be either a websearch plan showing that they have no assets in the area of works, or if they do have assets in the area a formal NRSWA C3 response from the Statutory Undertaker stating that they are unaffected. If Statutory Undertakers are affected please provide the response letter, estimate of works and plan of the works. This can be undertaken at the detailed design stage of the scheme.
- In accordance with LHDG Tables DG1 and 2 the longitudinal gradient at junctions should not exceed 1:30 for the first 10m.
- The existing drainage system should be proven by a CCTV survey to ensure it is running free of blockages and suitable for the proposed changes. The survey should cover the existing highway drainage system to where it outfalls / joins the Severn Trent Water system. A drainage system will be required to ensure that surface water from the development does not flow into the highway.
- Existing vegetation will need to be cut back to allow for the construction of the access and ensure visibility splays are maintained. Mitigation methods such as replacement planting should be shown on a landscaping drawing. Any vegetation removal should be undertaken to avoid the bird nesting season. A tree survey, Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) will need to be undertaken and submitted to LCC.

Junction Operation

The applicant has tested the site access designs with the predicted flows in the 2031 Design Year with the proposed development in Section 5 of the TAA. The results indicate that both main site accesses would operate within capacity in both the AM and PM peak hours.

The existing access on to Markfield Road which will serve Parcel D and was delivered as part of the 2020 application will also operate within capacity. According to the TAA there will be a maximum delay of 25 seconds and only three passenger car units at this junction in the 2031 AM with development scenario.

Internal Spine Road

A key part of infrastructure associated with the proposals is an internal spine road which will join Phase 1 of the development off Markfield Lane and Desford Lane and it will also provide access to various elements of the proposed development.

The submitted TA states that the Pan Regional Transport Model (PRTM) has tested the scenario with 250 dwellings and no spine road to understand the level of development that could be accommodated on the local highway prior to this new road.

The LHA will review the results of the modelling work and provide comments about the proposals and requirements for the spine road as part of its future responses to the application.

Stopping up of Burroughs Road

As part of the proposals the applicant is seeking the permanent removal ("stopping up") of highway rights on a section of Burroughs Road to enable the development to take place and provide additional pedestrian / cycle access to the site. The applicant has indicated on drawing number: 109003-PEF-ZZ-XX-DR-TP-00007 that a new turning head will be provided to facilitate access to Burroughs Road, for example to the playing fields and the Plough Inn but not allow through traffic.

The LHA would ask the applicant to submit a drawing which shows the full extent of the ‘stopping up’ proposals so the LHA can review and provide further comments on the implications of stopping up part of Burroughs Road. This is especially relevant given the presence of the car park for Burroughs Wood and neighbouring businesses and therefore the applicant is required to give consideration as to how appropriate access for such facilities would remain.

Highway Safety

The applicant has reviewed the Personal Injury Collision (PIC) data for the period 2017 to 30 April 2024. The applicant’s study area consists of residential roads including Groby Road, Ratby, and Sacheverell Way as well as two roundabouts, one that connects the A50 and A46 to residential areas. The extent of the study area is shown in Figure 2 below:

Figure 1. Collision Study Area



Figure 2: Extent of Personal Injury Collision study area reproduced from Figure 1 of Pell Frischmann Transport Assessment Addendum (TAA), ‘Land West of Ratby’, Report Ref: 106232-PEF-ZZ-XX-RP-TS-000002, Revision P3, dated 6 September 2024.

The key findings of the applicant’s review of the local highway network are detailed below:

- Total of 28 PICs –There were three serious collisions and 25 slight collisions in the period under consideration; and
- Four collisions in 2017, 2018, and 2019, five collisions in 2020, four collisions in 2021, three collisions in 2022 and 2023 and one collision up to 30 April 2024.

The applicant has concluded that based on the PIC record there is no spatial clustering or trends and there are no existing road safety issues that could be exacerbated by the proposed development.

However, the LHA would advise the applicant to consider the trip distribution / assignment based on the results from the PRTM modelling including the Botcheston Road / Desford Lane junction. The PIC data will need to be analysed by the applicant to see if there are any emerging patterns/trends that could be exacerbated by the proposed development.

If there are any areas of concern, then the applicant will need to submit a road safety scheme (along with Stage 1 RSA and Designer's Response) to the LHA for review.

Until full collision data has been collated and analysed the LHA cannot confirm that the proposed development will not have any road safety implications.

Internal Layout

The applicant is seeking outline planning permission with access the only matter being determined at this stage. Therefore, the LHA will provide further observations on any future Reserved Matters (RM) applications at the appropriate time should the LPA be minded to grant planning consent. The applicant should be advised that if the internal roads/footways within the development are to be offered for adoption by the LHA, then all details must comply with the current design standards of LCC.

Transport Sustainability

Section 3 of the TA considers the existing infrastructure for sustainable modes of travel and the Illustrative Masterplan of the proposed development is shown on drawing number: 10783-FPCR-XX-XX-DR-L-13, Revision P04. The LHA has considered this aspect of the proposed development and provides further comments below.

Walking and Cycling

Local facilities and amenities have been identified along with the suitable walking and cycling distances to each in Table 1 of the TA. Isochrone maps have been produced to represent the maximum, acceptable and desirable travelling distances using active travel methods.

The applicant is planning to provide pedestrian / cycle links from the proposed development to tie in with the existing infrastructure. There will also be a network of footways / cycleways through the site to encourage shorter trips by foot or bicycle.

Given the location of the proposed development residents will have access to a street lit footway on Markfield Road, adjacent to the site. This makes footways available on both sides of Markfield Road, which will then connect to footways on Main Street, providing a route to Ratby village, Ratby Primary School and Groby.

Cycle infrastructure is in place and means that cyclists can join the carriageway on Ratby Lane. However, this should not prevent the applicant delivering any walking / cycling improvements that are identified through the review of the application.

Public Transport

It is noted that the closest bus stops to the site are on Charnwood (served by the Arriva 27) and two on Main Street (served by Arriva 27 and 28), opposite and adjacent to Burrough Road. These stops are approximately 600m walking distance for residents who will live within the site - which is substantially above the recommended 400m walking distance.

It is also identified that it would not be feasible to divert existing bus services through the site along Burrough Road or the proposed internal spine road due to the width of these roads. Had the

proposed internal spine road been 6.75m for the entire length of the road, consideration could have been given for a bus to penetrate the site.

The LHA would recommend that the stop on Charnwood has a raised kerb installed and the stop on Main Street (opposite Burroughs Road) have a bus stop road marking implemented to encourage the use of public transport.

Notwithstanding the above, the LHA would ask the applicant to investigate and put forward suggestions to improve the bus services in the village.

Public Rights of Way

The LHA note that several Public Rights of Way (PROW) cross the site. After a review of the Illustrative Masterplan overlaid with the Definitive Map of PROW (attached as a separate document to this response) the LHA has the following comments.

The National Planning Policy Framework (NPPF) in paragraph 104 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, for example by adding links to existing rights of way networks including National Trails.’

The requirements of NPPF paragraph 104 are applied in the local context by the LHDG annex on ‘Development and Public Rights of Way’ at:

<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/6/5/Rights-of-way-guide.pdf>

In summary, any submitted scheme should follow the following principles:

- Planning must be based on the routes on the Definitive PROW map that have legal authority. The applicant should be aware routes on the ground may not be the same as these;
- Development should be planned around the existing rights of way routes. Any changes will need separate legal orders for diversions in addition to the planning permission;
- Rights of way should be through public open space and separate from roads and footways, as far as possible, to preserve the identity of rights of way as through routes;
- Rights of way should be easy to follow and pleasant to use, including being well overlooked. Enclosed and narrow paths discourage users;
- The treatment of paths should help maximise non-motorised active travel by having path surfaces and drainage, gradients, and path widths that encourage use by all abilities.
- Rights of way outside the application site will need improvement where a development uses those routes to access schools, shops, community facilities, and employment areas. Improvements may be made as part of section 106 or section 278 agreements.
- Rights of way beyond the application site merit enhancements particularly where the new residents of the application site will use the routes for informal outdoor leisure

The Design and Access Statement (DAS) makes the positive commitment that:

‘Existing Public Footpaths will be retained and are expected to be improved through new surfacing, signage and interpretation. These will be located within corridors of green space, supplemented with new trees and landscape features, and will connect with additional recreational routes to provide a wide network of routes around the site. Where these routes run through the built

environment they will be overlooked by new homes and buildings to create safe and attractive spaces.'

In drawing up a Rights of Way scheme and any future RM applications the applicant should pay attention to the following:

- As noted above, in law, the routes of public footpaths and bridleways are precisely fixed by the Definitive Map of public rights of way, the official record. Routes on the ground may be different but, in law, the route on the Definitive Map is the alignment that must be used by planning proposals. If not, a legal diversion of the right of way will be needed, which is a separate process from the planning permission;
- On the Illustrative Masterplan, south of Burroughs Road, the east-west section of Footpath R44 is 4.5 metres south of the legal alignment. The north-south sections are relatively more accurate;
- On the Illustrative Masterplan, northeast from Burroughs Road, most of Footpath R48 is 4.5 metres south of the legal alignment, including reaching Stamford Street through the middle of a house rather than along the western side of it;
- Northwest from Burroughs Road, most of Footpath R48 is up to 5 metres south of the legal alignment, including running on top of a stream rather than beside it; and
- A section of Footpath R48 coincides with the route of Burroughs Road. From Ratby village to the far western corner of the application site Burroughs Road also has the status of a public carriageway with public rights for motorised vehicle traffic. The only exception is the western extremity of Burroughs Road, which is Restricted Byway R45, where the only motorised vehicle rights are for private access to the Woodland Trust car park, the paintball site, and several residential properties at the western end.

Travel Plan

As part of the Framework Travel Plan (FTP) a parking guide has been provided, however there are no details for additional unallocated parking. Furthermore, the applicant is unable to specify at this time how many parking spaces will be available per home. The applicant has not considered the allocation of Electric Vehicle (EV) charging for dwellings or community spaces, such as the school or community centre and these will need considering if they are part of the final proposals. The applicant may wish to include this information (if available) in the revised document, or it will need to be considered as part of any future RM application(s).

Cycle parking could be provided with curtilage of dwellings in secure covered areas, but the applicant has not committed to this. Moreover, the applicant has not considered cycle parking for the school or the community centre. Cycle facilities have not been identified although the applicant states cycles will be accommodated.

SMART targets have been identified in the FTP, but the LHA would ask the applicant to start surveying occupants within six months of first occupation. The inclusion of a site-wide Travel Plan Co-ordinator (TPC), along with TPC's for each parcel of land, is welcomed. The initiatives and incentive include a good range of activities that the TPCs can use to encourage modal shift. The LHA note that to promote and encourage sustainable travel to/from site, two six-month bus passes will be offered per household and available for new residents. The surveys and timelines for surveys, i.e. initial survey, annual multi modal survey and qualitative surveys are acceptable. The applicant has agreed to use Modeshift STARS and has a good action plan in place.

Although the applicant has considered several issues to encourage sustainable modes of travel, the LHA would ask the applicant to submit a revised FTP with the following amendments:

- Detail what upgrades they will be making to Burroughs Road to make it suitable for pedestrians, cyclists and motorists;
- Implement a raised kerb at the stop on Charnwood;
- Bus stop road markings implemented on Main Street (opposite Burroughs Road);
- The applicant should state how many parking spaces each dwelling will have, how many unallocated parking spaces and the number of overall spaces on the site;
- The applicant should consider installation of EV charging points at dwellings, the community centre and the school, as well as accessible parking bays;
- The applicant should indicate how much cycle parking will be available within dwellings and include the number of cycle parking spaces the community centre, school and any green spaces will have; and
- The applicant should commit to surveying from within six months of first occupation.

Following a review of the FTP, the LHA cannot approve the document at this time and would welcome the submission of a revised document.

Closing

The LHA has identified some concerns with the proposed site access strategy and some other transport issues of the application.

Therefore, the applicant should provide further evidence/clarification on the issues raised in this response, including:

- Amendments to site access arrangements and confirmation that vehicle speeds of 15kph have been used swept path analysis;
- Revised RSA1 and Designer's Response to include the proposed Toucan Crossing;
- A drawing which shows the full extent of the 'stopping up' proposals for Burroughs Road;
- Up to date PIC data to include expanded study area;
- Investigate possibility of additional public transport infrastructure / service improvements; and
- Submission of an updated FTP.

Date Received
04 October 2024

Case Officer
David Hunt

Reviewer
RD

Date issued
12 November 2024