

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: 24/01126/FUL

Highway Reference Number: 2024/1126/04/H

Application Address: Land South Of Charnwood Acres Markfield Road Ratby Leicester
Leicestershire LE6 0LW

Application Type: Full

Description of Application: Erection of 3 Shepherd huts

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr Ryan Pasch

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) understands that the above application seeks to erect three shepherd huts to form a glamping site to be used for overnight stays by guests.

The following submitted documents were considered in the formulation of these observations:

- Application form
- Location plan titled 'Location Plan,' drawing number 240239-01-01
- Site layout plan titled 'Proposed Layout Plan,' drawing number 240239-01-02
- Site plan titled 'Road and Access Plan,' drawing number 240239-01-06
- Design and Access Statement prepared by Glampitect

Reference is made to the Leicestershire Highway Design Guide throughout these observations, a copy of which can be found at <https://www.leicestershirehighwaydesignguide.uk/>.

Site History

The following relevant planning history was considered in formulating these observations:

Application Reference 19/01069/FUL

This application sought the “construction of replacement stables (part retrospective),” The LPA consulted the LHA on 26 September 2019 and issued its response on 3 October 2019, stating that there was no material impact on the highway and that the LHA, therefore, had no comments to make. The LPA granted permission for the application on 14 November 2019.

Application Reference 21/00645/FUL

This application sought the “demolition of existing redundant timber stables and construction of a new stable block in an area less likely to flood, together with 2 bay pole barn fodder store.” The LHA was consulted by the Local Planning Authority (LPA) on 14 June 2021 and issued its response on 28 June 2021 stating that the proposals were unlikely to increase the number of trips to the site and therefore, the LHA had no comments to make. The application was subsequently withdrawn by the Applicant.

Application Reference 23/00212/FUL

This application sought the “proposed change of use of existing stable to residential property, installation of solar panel, boundary treatment, tree planting and water harvesting tank.” The LHA was consulted by the LPA on 14 March 2023 and issued its response on 28 March 2023, referring the LPA to the LHA’s standing advice document. The LPA refused the application on non-highway related grounds on 2 May 2023.

Application Reference 23/00699/FUL

This application sought the “change of use of existing barn to dwelling, installation of solar panels, and tree planting.” The LHA was consulted by the LPA on 19 July 2023 and issued its response on 7 August 2023, referring the LPA to the LHA’s standing advice document. The LPA granted permission for the application on 21 September 2023.

Site Access

The proposed site access will be onto the western extent of Markfield Road. At the point of the access Markfield Road is a classified C road with no weight restriction and is subject to the national speed limit.

In its responses to applications 23/00212/FUL and 23/00699/FUL, the LHA informed the previous applicants, that the same site access proposed in this application was under the jurisdiction of National Highways and therefore, the LHA advises that the Applicant should consult National Highways in respect of the proposed development if they have not already done so.

The LHA carried out its own assessment of the existing access arrangements and found the initial width of the access to measure 5.1 metres at the carriageway edge narrowing to a width of 4.7 metres at a setback distance of 2.4 metres from the edge of the carriageway. The access width narrows to a width of 3.1 metres before reaching the existing gated access before increasing slightly to 3.3 metres the gates. However, there is evidence that vehicles accessing the site have been overrunning the highway verge on both sides of the hard bound section of the access. To facilitate this overrunning, an area of highway verge has been surfaced with gravel. The LHA advises the Applicant that this constitutes an unlawful development within the highway boundary.

The LHA advises the Applicant that, in addition to a suitable access width, they would be required to demonstrate radii in excess of 6 metres on both sides of the access in accordance with Table 9 of the LHDG which can be found at: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/junction-type-geometry-and-spacing#privateaccessrestrictions>.

The Applicant has demonstrated proposed access arrangements on their submitted drawing titled "Road and Access Plan," drawing number 240239-01-06. However, they have not demonstrated that this will be surfaced with a hard bound material or that the largest vehicle likely to access the site could pass in the opposing direction to a car. Therefore, the LHA requests that the Applicant submits a scaled drawing detailing surfacing and access widths, in addition to a scaled vehicle tracking analysis drawing to demonstrate that a safe and suitable access can be provided for all users in accordance with the National Planning Policy Framework (2024).

The LHA has carried out its own assessment of the achievable visibility splays at the site. The LHA found achievable visibility splays to measure 2.4 metres by 215 metres to the north and 2.4 metres by 63.5 metres to the south of the access. While the northern visibility splay would be suitable for measured 85th percentile speeds of 54 to 62 mph, the southern splay would only be suitable for speeds between 31 to 35 mph, in accordance with Table 6 of the LHDG. Therefore, the LHA are concerned that the Applicant may not be able to provide sufficient visibility splays for the measured 85th percentile speeds at the access. Therefore, the LHA advises that the Applicant will need to demonstrate visibility splays in accordance with measured 85th percentile speeds on a scaled drawing.

Any scaled drawing should include a tangent line, and the tips of the visibility splays should be shown to conclude at a distance of 1 metre from the nearside carriageway edge. Splay lengths should be in accordance with Table 6 of the LHDG, which are based on 85th percentile vehicle speeds. The Applicant should commission a speed survey to ascertain 85th percentile vehicle speeds, which would need to be carried out using Automatic Traffic Counts – not Manual Traffic Counts – to avoid influencing driver behaviour. A permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire, which can be obtained by contacting ndi@leics.gov.uk. Alternatively, Leicestershire County Council offer a data collection service including a large traffic count database. Details of the services available can be obtained by contacting ndi@leics.gov.uk.

A gate is present within 15 metres of the carriageway edge though it is unclear whether this is regularly closed. This notwithstanding, the LHA would require that any gates within 15 metres of the carriageway edge are removed and that any new gates are installed with a minimum setback of 15 metres from the carriageway edge.

Highway Safety

The LHA has checked its Personal Injury Collision (PIC) database and there have been two PICs within 500 metres of the site in the latest five-year period. One of these PICs was classified as serious, at a distance of around 180 metres from the proposed access. The other PIC was classified as slight, at a distance of 255 metres from the proposed access. The location of the PICs, and the nature of them, may indicate elevated speeds on Markfield Road in the vicinity of the access and therefore the LHA, as above, requests that the Applicant carry out a speed survey to measure 85th percentile speeds at the access.

Travel Sustainability

There are no bus stops within 800 metres of the access, which is over 1.6 kilometres from the nearest village, Ratby. The Applicant has demonstrated that they intend to provide cycle storage provision and Electric Vehicle charging facilities within the proposed development. Notwithstanding the above and given the location of the proposed development, the LHA considers that a majority of trips generated by the proposed development will be reliant on the use of private cars.

Internal Layout

The LHA has reviewed the submitted drawing titled 'Proposed Layout Plan,' drawing number 240239-01-02 which shows parking spaces for three vehicles, with one marked as a parking space for electric vehicles, to serve the proposed development. The LHA is satisfied that a sufficient number of parking spaces will be provided as part of the proposed development. The distance of the proposed development from the highway means it is unlikely that the proposed development would lead to overspill parking within the public highway.

The Applicant's submitted drawing titled 'Road and Access Plan,' drawing number 240239-01-06 demonstrates that, at several points, the drive width of the proposed development falls below the required width of 3.7 metres. As the proposed development is situated over 45 metres from the highway, the private drive should be constructed in accordance with the 'General layout of a private development,' section of the LHDG, which states that for drives over 45 metres from the highway, emergency vehicles must be catered for by constructing the drive and any turning areas so they can accommodate commercial or service vehicles. The minimum width for access should be 3.7 metres (between kerbs) and fire vehicles should not have to reverse more than 20 metres. Development must be in line with British Standard BS9506, 2005 and Building Regulations Approved Document B, Fire Safety 2006. The LHA therefore requests that the Applicant submit a tracking analysis drawing demonstrating that a 11.2m refuse vehicle and fire appliance is able to access the proposed development.

Public Right of Way R27

The LHA notes that Public Footpath R27 runs through the site. The Applicant has demonstrated in their Design and Access Statement that they do not intend to alter this Public Right of Way as part of their application. The LHA is satisfied that the protection of the Public Footpath and its users can be secured by condition and therefore no further information is required regarding this issue.

Conclusion

Given the above, the LHA does not consider that the application fully assesses the site access requirements or the highway impact of the proposed development.

The LHA requests that the Applicant carry out a speed survey to demonstrate the measured speeds at the access, in order to ascertain whether suitable visibility splays for measured 85th percentile speeds at the access can be achieved.

The LHA requests that the Applicant demonstrate the surfacing arrangements of the access on a scaled drawing. The LHA requires 15 metres of hard bound material behind the carriageway edge to be provided at the access for the entire required width. The LHA further requests that the Applicant provide a vehicle tracking analysis drawing to demonstrate that the largest vehicle likely to access the site, can do so passing a car in the opposing direction.

Additionally, the LHA requests that the Applicant demonstrate the ability of a 11.2m refuse vehicle and fire appliance to access the site on a scaled tracking analysis drawing.

Finally, the LHA advises the Applicant to consult with National Highways, as according to LHA records, the access drive to the proposed development is within their jurisdiction.

Date Received
17 December 2024

Case Officer
Harry Smith

Reviewer
BD

Date issued
24 January 2025