

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: 23/01090/OUT

Highway Reference Number: 2023/1090/04/H/R3

Application Address: Land At Cliffe Lane Markfield Leicestershire

Application Type: Outline (with access)

Description of Application: Re-consultation. Outline Application for the construction of employment units (Use Classes E(g)(i), E(g)(ii), B2 and B8) (some matter reserved except for access).

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr H Milner

County Councillor: Cllr Peter Bedford

Parish: Stanton-under-Bardon

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 re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on an outline application for the construction of employment units (Use Classes E(g)(i), E(g)(ii), B2 and B8) on land at Cliffe Lane, Markfield.

The LHA previously advised the LPA that it had no objection to the proposals subject to conditions and contributions within the highway observations dated 31st October 2024. Comments were however raised from National Highways in respect of the Applicants junction modelling. While the LHA advised it had no objection to the modelling or the impact of the proposals on the county highway network, the response should not prejudice any subsequent advice which may be forthcoming from National Highways, particularly in respect of the M1 northbound and southbound arms.

The Applicant has subsequently submitted the following document:

- Update to the M1 J22 Modelling in Response to Observations from National Highways.

After reviewing the submitted document, the LHA have no further comments to make in respect of the proposals and consider the proposals are unlikely to have a severe impact on the county highway network in terms of capacity and congestion as per Paragraph 114 of the NPPF (December 2023).

The LHA advise it therefore currently has no further comments to raise in respect of the proposals over an above those within the October 2024 observations. The conditions, contributions and informative notes previously advised have however been reproduced below.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. No part of the development shall be first used until such time as the offsite works shown on Edwards & Edwards drawing number 12305/001 Rev. D (closure of the existing A511 Little Shaw Lane access and provision of a pedestrian footway) have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

3. No part of the development hereby permitted shall be first used until such time as the access arrangements on to Cliffe Lane shown on Edwards & Edwards drawing number 12305/001 Rev. D have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

4. No part of the development hereby permitted shall be first used until such time as vehicular visibility splays of 2.4 x 73m to the north of the access and 2.4 x 159 metres to the south of the access have been provided at the site access on to Cliffe Lane. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in

accordance with the National Planning Policy Framework (December 2023).

5. The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular access on Cliffe Lane that becomes redundant as a result of this proposal has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (December 2023).

6. No part of the development hereby permitted shall be first used until an amended Framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023).

Contributions

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

1. A financial contribution towards improvements to the wider highway network in Coalville as considered appropriate by the relevant Local Planning Authorities.

Reason: To accommodate the wider growth in Coalville, including the impact from this development.

Suggested trigger point: Prior to first use of the first unit.

2. To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing employee car use:

- a. Travel Packs, one per employee; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Reason: To inform new employees from first use what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first use of the development.

- b. Six month bus passes, one per employee (one application form to be included in Travel Packs and funded by the developer); to encourage new employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £510.00 per pass).

Reason: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 100% paid prior to the occupation of the development. However, payment of 75% of the total contribution may be deferred to a later date by agreement of a timescale with the County Council.

- c. Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after first use. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the required Travel Plan.

- d. Modeshift Stars travel plan monitoring fee of £11,337.50.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

Suggested trigger point: Prior to the first use of the development.

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.

- The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received **Case Officer**
18 November 2024 **Ben Dutton**

Reviewer
DH

Date issued
25 November 2024