

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: 23/00978/OUT

Highway Reference Number: 2023/0978/04/H

Application Address: Land Off Barton Road Congerstone Leicestershire

Application Type: Outline (with access)

Description of Application:

Outline planning permission for the construction of up to 20 dwellings with associated infrastructure (some matters reserved except for access and layout)

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: Mr William Naylor

County Councillor: Bertie Harrison-Rushton

Parish: Shackerstone

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 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 on outline application 23/00978/OUT, for the erection of up to 20 dwellings with associated infrastructure (some matters reserved except for access and layout). The proposals are on land off Barton Road, Congerstone, Leicestershire. The application form indicates that the site is currently agricultural land.

Site Access/Off-Site Implications

The proposed site access is located on the northern extent of Barton Road, approximately 155m to the northeast of the junction of Barton Road/Chapel Lane. Barton Road is an adopted, unclassified road. The proposed access would be located at the point where the speed limit changes from 30mph to the southwest, and 60mph to the northeast.

The LHA would normally consider the access drawing 'Access Design', drawing number NE/0312/AD/23 against Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG), a copy of which can be found at:

<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2022/3/18/Part-3-design-guidance-interim.pdf>

However, the LHA have concerns regarding the following:

- The narrow nature of Barton Road;
- No swept path analysis for refuse vehicle; and
- No Stage 1 Road safety Audit with accompanying Designers Response.

As such the Applicant should provide:

- Swept path analysis for refuse vehicle (Phoenix 2 Series - Smooth Body RCV, EURO 5i - WIDE TRACK refuse collection vehicle);
- Stage 1 Road safety Audit with accompanying Designers Response along with any amended plans if required; and
- Revised scaled access drawing which takes the above into consideration along with Figure DG17 of Part 3 of the LHDG.

The LHA would normally require vehicular visibility splays of 2.4m by 43m to the southwest and 2.4m by 215m to the northeast of the proposed access. These are based upon the posted speeds of the road at the location of the access as per Table DG4 of Part 3 of the LHDG. The Applicant has provided a drawing titled 'Access Design', drawing number NE/0312/AD/23. This demonstrates vehicular visibility splays of 2.4m by 32m in both directions based upon Manual for Streets 2 (MfS2), this was supported by an Automated Traffic Count (ATC) undertaken between 15 December 2022 and 21 December 2022.

The ATC demonstrates recorded 85th percentile speeds of 26.8mph northbound, and 26.3mph southbound. The LHA have reviewed the ATC raw data contained within Appendix A of the Transport Statement authored by Lennon Transport Planning and agree with the findings.

Whilst the LHA also agree with the MfS2 formula as set out in Section 4.3 of the Transport Statement, the LHA find that dry weather visibility splays of 2.4m by 36m (rounded up from 35.69m) should be provided based upon MfS2 calculations to the north of the access, and 2.4m by 37m (rounded up from 36.63m) to the south. As such, the Applicant should provide a revised scaled access drawing that demonstrates the above.

As previously stated, the LHA note that Barton Road is narrow in nature with a narrow footway on the eastern side of Barton Road that runs to the pedestrian access of The White House, Barton Road. The Applicant should demonstrate a 2m footway that runs from the proposed site access to the southwest for a minimum distance that allows for an uncontrolled pedestrian crossing where pedestrians can cross to the other side of the carriageway safely, without walking within the carriageway. This would require a Section 278 be entered into between the two parties.

The Applicant has stated the existing agricultural access to the southwest of the proposed access will be re-instated, this is welcomed by the LHA and can be secured via condition.

The LHA noted there is currently a secondary access into the site accessed via Chapel Lane. The Applicant should clarify if this access is to be re-instated or retained. If it is to be retained the Applicant should provide justification for this.

Highway Safety

There have been no Personal Injury Collisions (PIC's) recorded on Barton Road within 500m to the north of the proposed access, or approximately 365m to the south to the junction of Barton Road/Main Street within the last 5 years.

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 (2021).

Trip Generation

The Applicant has supplied within the Transport Statement trip rate data.

The Applicant states within Section 6.3 the following:

Development	Peak	Trip Rates		Total Peak Trip Generation		
		In	Out	In	Out	Total
20 Dwellings	AM (0800-0900)	0.063	0.326	1.260	6.520	7.780
	PM (1700-1800)	0.326	0.295	6.520	5.900	12.420

Section 6.4 states:

The proposed development is forecast to generate approximately 8No trips in the AM peak and 12No trips in the PM peak. Total peak hour trip generation is far less than 30 two-way vehicle movements per hour which was a previously recognised benchmark for considering significant impact in the former GTA guidance (see para 2.4).

Therefore, it should follow that the proposal will not have a 'severe' impact on the local highway network in the context of NPPF. Similarly, when considering the amount of daily trips, then highway capacity mitigation works (or financial contributions towards such) are not considered necessary or justifiable.

The LHA notes the TRICS output data shown above appears to be low. However, Table PDP1 of Part 2 of the LHDG indicates that development of this scale of development does not require the Applicant to provide TRICS's data, the LHA therefore consider it unreasonable to request further data be provided.

Internal Layout

Section 4.1 of the Transport Statement sets out that the site would be offered for adoption by the Leicestershire County Council (LCC). However, given there are what appear to be share surfaces, the LHA would not consider these for adoption.

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the LHDG.

In order for the LHA to consider a road for adoption 5 or more properties must have direct frontage onto the proposed road. As the design currently the spine road only directly serves plots 9 and 10, therefore fails to comply with our adoptability requirements. For the LHA to consider this further the layout would need to be redesigned to ensure that the above-mentioned point is addressed. For the record, none of the site is currently to adoptable standards.

For all the internal layout to be adopted the Applicant would be required to provide a 2m footway throughout the site and a 1m service margin.

LCC do not maintain grass verges in isolation and therefore require that the currently detailed 2m grass margin is removed and replace with a 1m bituminous topped service margin.

The site design will need to be reviewed to ensure that appropriate Speed Control measures are included. The 'Proposed Site Layout' drawing is currently a length of road which exceeds the appropriate lengths between speed control measures.

Any speed control tables that are incorporated into the design will need to accord with Paragraphs DG4, Table DG8 and Figure DG5e of Part 3 of the LHDG. It must also be ensured that speed control table ramps are kept clear of driveways when implementing this.

The Applicant will also need to ensure that appropriate bend widening is also included where required. This will need to be in accordance with Table DG6 of Part 3 of the LHDG.

Forward visibility at junctions, bends etc throughout the site must be within the highway in accordance with Figure DG2b of Part 3 of the LHDG.

As the layout stands, the LHA note issues with visibility outside plot 11, with the forward visibility partially falling into what is being proposed as a private drive and an issue with forward visibility on the bend adjacent to plots 9 & 10. This should be reviewed and addressed accordingly, however, the LHA note that this area does not appear to be offered for adoption.

Please ensure that any tree that is to be planted within the proposed highway or the vicinity of the highway is provided with the necessary root protection and likewise any tree that is to remain in within the highway or vicinity of the highway is also provided with the necessary tree root protection.

Where trees are to overhang the highway, they must be of a type with a minimum clear stem of 2.2m.

Gradients should conform to the standards set out in Table DG1: General geometry of residential road (internal) contained within Part 3 of the LHDG.

The LHA are unable to comment on drainage proposals as gully positions have not been shown. All drainage should be in accordance with Section DG12 of Part 3 of the LHDG. It must be ensured that surface water from private land does not run or pool in the public highway.

The LHA has concerns in relation to plots 1 to 5. It appears the principle elevations as demonstrated on 'Proposed Site Layout', drawing number 22-119-PL02 Rev A affront onto Barton Road, with points of access to the highway adjacent to plots 1 and 5, this would not be supported by the LHA. The LHA's main concern is this proposed layout may encourage vehicles to park within the highway adjacent to the plots, rather than accessing the parking to the rear of the plots. As such, the LHA would request the Applicant to re-assess the layout at this location.

The LHA are satisfied the quantum of off-street car parking accords with Paragraph 3.151 of Part 3 of the LHDG. However, plots 7, 8 and 9 are dependant on the garages according to Paragraph 3.200 of Part 3 of the LHDG. This states single garages should be 6m by 3m and 6m by 6m for a double garage.

The Applicant should also re-assess the off-street car park dimension for plots 13, 14, 17 and 20 in accordance with Paragraph 3.165 of Part 3 of the LHDG. This states there should be a minimum parking size 2.4m x 5.5m, add 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1m if bounded on both sides. The Applicant may wish to re-assess the off-street car parking location for plot 16 as it appears to be contrary to Paragraph 3.159 of Part 3 of the LHDG being remote and not easily observed from the dwelling.

Transport Sustainability

The proposed site is approximately 250m walk away from the nearest bus stops to the southwest. There is a service that runs between Measham and Atherstone, every two hours between the hours of 09:00 and 15:00. There is one Local Authority run school which is approximately 800m from the proposed site.

The LHA would consider due to the lack of an hourly bus service, and facilities such as a local shop, the transport sustainability of Congerstone is reduced, however the LHA is satisfied for the Local Planning Authority (LPA) to consider transport sustainability alongside its other sustainability considerations for the site.

Closing

In summary, the LHA requests the following additional information is submitted to the Local Planning Authority (LPA) for consideration by the LHA:

- Site access and spine road width to accord with LHDG standards;
- Revised scaled drawing demonstrating visibility splays;
- Independent Stage 1 Road Safety Audit (RSA) and accompanying Designer's Response;
- Provide 1m service margin on spine road throughout the site;
- Clarification re secondary site access into Chapel Lane;
- Demonstrate 2m footway to front of site;
- Demonstrate speed control measures throughout the site;
- Re-assess site layout, plots 1 to 5;
- Address remote parking issues for plots 16;
- Swept path analysis for a refuse vehicle; and
- Parking space dimensions.

Date Received
18 October 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
7 November 2023