

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: 24/00513/FUL

Highway Reference Number: 2024/0513/04/H

Application Address: Kyngs Golf And Country Club Station Road Market Bosworth Nuneaton Leicestershire CV13 0NP

Application Type: Full

Description of Application: Erection of 4 holiday lodges and associated works (resubmission of 24/00027/FUL)

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: Statue Homes Ltd

County Councillor: Cllr Bertie Harrison-Rushton

Parish: Market Bosworth

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 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 consulted by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

'Erection of 4 holiday lodges and associated works (resubmission of 24/00027/FUL)'

The proposals are at Kyngs Golf and Country Club, Station Road, Market Bosworth Leicestershire CV13 0NP.

There has been one previous application at the site detailed below:

24/00027/FUL - Erection of 4 golf holiday lodges and associated works. The LHA advised approval on 30 January 2024 subject to a condition. However, the LPA subsequently refused the application on non-highway grounds on 9 May 2024.

The LPA have reviewed the following information listed below:

- Application Form;
- Site Layout Plan, drawing number HMDPD/0534/02;
- Planning, Design & Access Statement; and
- Elevation and Floor Plan.

From reviewing the application documents, it is evident that these submissions are identical to the documents previously submitted and reviewed as part of 24/00027/FUL in terms of impact on the highway and are therefore still considered relevant.

Site Access

Access to the site is proposed off Station Road which is an adopted classified C road subject to a 30mph speed limit via the existing priority access junction to Kyngs Golf Club. Whilst the Applicant has not provided any detailed scaled access drawings, the LHA are satisfied the existing access arrangements would be acceptable to cater for the expected level of traffic that could be generated by the four holiday lodges.

The Applicant has not provided any detailed visibility splay drawings, however, the LHA have information on record that speeds along Station Road are faster than the posted speed for the road (30mph). The LHA has undertaken its own assessment and finds that visibility splays for the recorded 85th percentile speeds of the road can be achieved entirely within the highway in accordance with Table DG4 of Part 3 of the Leicestershire Highway Design Guide (LHDG), a copy of which can be found at <https://resources.leicestershire.gov.uk/lhdg>.

Given the above, the LHA finds the access suitable for the proposed level of development.

Highway Safety

The LHA have again assessed their Personal Injury Collision (PIC) data and find there have been two PIC's in total within 500 metres in either direction of the site access within the last five years, these were both recorded as being 'slight' in severity.

The LHA are satisfied that there are no spatial trends / patterns in the data and are therefore satisfied that no new highway safety issues would be introduced into the vicinity of the site contrary to the National Planning Policy Framework (December 2023).

Internal Layout

The LHA have reviewed the 'Site Layout Plan', drawing number HMDPD/0534/02 which demonstrates the provision of three off-street parking spaces to serve each two-bedroom holiday lodge. The LHA confirms this accords with the requirements specified in the 'Highway Requirements for Development (HRfD) Part 4', a copy of which can be found at <https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2019/2/13/Highway-requirements-for-development-part-4-parking-standards%20Refer-to-part3-sectionDG14-first.pdf>

The LHA also finds the off-street car parking spaces to accord with Paragraph 3.165 (car parking space dimensions) and Figure DG13 (on-site turning) of Part 3 of the LHDG.

Public Rights of Way (PRoW) S70

It is noted that the access drive crosses Public Footpath S70. However, it is considered site traffic would be limited so the use and enjoyment of the footpath route should not be significantly affected.

Taking all the above into consideration, the LHA would not seek to resist the proposals subject to the following condition.

Condition

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Site Layout Plan, drawing number HMDPD/0534/02. Thereafter the onsite parking and turning provision shall be kept available for such use in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

Informatives

- a) 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.
- b) Public Rights 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.
- c) If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- d) 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.
- e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- f) 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.

g) 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
11 July 2024

Case Officer
Neal Chantrill

Reviewer
DP

Date Issued
01 August 2024