

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: 24/00019/FUL

Highway Reference Number: 2024/0019/04/H/R1

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

Application Type: Full

Description of Application:

Re-consultation. Erection of 50 bedroom golf and leisure hotel (Retrospective)

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: Statue Homes Ltd

County Councillor: 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 received a request to provide revised observations following the submission of a letter from Ardent Consulting Engineers dated 1st March 2024 reference ATB/2300431/Letter. The LHA has reviewed this information and provides detailed comments below.

Site Access

The proposed development will be served by an existing site access. This private access road meets the highway at Station Road, which is a C Classified road subject to a 30mph speed limit. The LHA highlight that access improvements (including footway widening) that were secured under 13/00272/CONDIT and 19/01437/FUL, have not yet been implemented. To ensure an appropriate

access is provided to serve the proposed development, the LHA request that the site access conditions are also imposed on this application, should the Local Planning Authority (LPA) be minded to grant approval of the proposed development. These have been repeated below for ease. To demonstrate the suitability of the proposed access arrangements, the Applicants have undertaken a junction capacity assessment of the site access junction in the AM and PM peak hour.

To assess the proposed access, up to date traffic survey data was obtained from Leicestershire County Council (LCC) from an Automatic Traffic Count (ATC) undertaken between 30th January and 6th February 2024, which was located just to the west of the access on Station Road. However, this survey was undertaken in a non-neutral month and at a time when emergency road closures were in place to the east of Market Bosworth during this survey period.

To assess whether these works affected the volume of traffic on Station Road past the site, the Applicants have compared the 2024 results with both the previous 2018 count included with the 2019 application as well as DfT traffic count data from 2019 on this section of Station Road. The results of this analysis showed that for the PM peak the 2024 data is notably lower than both the 2018 and 2019 results. Therefore, to ensure a robust assessment the previous 2018 baseline data has been used to conduct a junction capacity assessment of the consented site access.

For the future year scenario the baseline data has been factored to a design year of 2029 (2024+5 years), using TEMPro growth factors of 1.079 for the AM peak and 1.080 for the PM peak. The consented traffic previously allowed for in the 2019 Transport Statement has also been included, as have the proposed development traffic flows from the consented 2019 scheme (minus the six holiday lets). The proposed traffic for the 50-room accommodation development has then been included, using the same distribution percentages as the 2019 application, to provide a 2029 'with development' scenario.

This assessment has confirmed that proposed access would operate within the acceptable limits of capacity with minimal queuing delays would be experienced on both Station Road and within the site access.

Given the above, the LHA are satisfied that a safe and suitable access has been provided to serve the proposed development.

Highway Safety

The Applicants have conducted a review of Personal Injury Collision (PIC) data between the Market Place/Back Lane/Station Road/Main Street roundabout junction and the Wellsborough Road/Carlton Road priority junction between 2018-2022.

The LHA highlight that the data reviewed is over two years old and therefore considered to be out of date.

Notwithstanding the above the LHA has reviewed its own PIC database, using the most recent data up to December 2023 and confirm that one additional PIC's has been recorded within the study area which has not been considered by the applicants. This was a rear shunt style collision because of a turning movement on Station Road.

The LHA are satisfied that the above review has not identified a pattern or trend in the collision data which could be exacerbated by the proposed development.

Trip Generation

The Applicants have conducted a review of TRICS data for the category 'Hotel, Food and Drink – Hotels' to calculate the potential peak hour and daily weekday traffic generation for the proposed development. This has been repeated below in Figure 1 for ease.

Figure 1 – Trip generation

	Arrive		Depart		Total	
	Trip Rate (per room)	Trips	Trip Rate (per room)	Trips	Trip Rate (per room)	Trips
AM Peak	0.111	6	0.111	6	-	12
PM Peak	0.429	21	0.302	15	-	37
Daily	2.624	131	2.296	115	-	246

The proposed development is predicted to generate 12 two-way trips in the AM peak, 37 two-way trips in the PM peak and 246 daily two-way trips.

The development traffic has then been distributed using the percentages agreed as part of the 2019 application. This has concluded that the overall traffic impact of the proposed development would be relatively small and therefore further assessments are not required to support the proposed development.

The LHA agree that the trip generation and distribution are acceptable and no further unction capacity assessments are required.

Internal Layout

The LHA previously raised concerns that the proposed development seeks to rely on the car parking approved under 19/01437/FUL with a reduction of 12 spaces from 221 to 209 car parking spaces which were located within the courtyard arrangement and proposed to serve the holiday homes.

However, the LHA note that the Applicants state that “the proposals would not operate as a typical hotel and would instead comprise accommodation that is ancillary to the consented golf and leisure facilities”

The LHA note that the 2019 application predicted a total demand for 185 parking spaces at the site. Given the proposed 50 room accommodation is not intended to operate as a separate hotel and those visitors staying in the accommodation would do so as part of their visit to the golf course and associated facilities, the LHA accept that the proposed 202 spaces would be in excess of the predicted demand, with any minor uplift in demand relating to the hotel should be sufficient accommodated.

Therefore, providing the use of the proposed development could be conditioned so its use is ancillary to the consented golf and leisure facilities. The LHA would be unable to sustain a refusal to the proposed development based on the proposed level of parking provision.

Public Rights of Way

Public Footpath S70 runs across the golf course which would be reopened as part of the proposed development. It is considered there is a need for detailed discussion on the treatment of the Public Right of Way, therefore the LHA would advise a suitably worded condition such as that at the end of this report. In drawing up a Rights of Way scheme it is advised the Applicant gives particular attention to the need to safely manage the interaction between walkers and golfers, and improving accessibility by replacing stiles with gates or gaps. LCC Rights of Way officers can be contacted by the Applicant on 0116 305001.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of 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 hereby permitted shall be occupied until such time as the access arrangements shown on HAS drawing number HAS/17-030/01 Rev A 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).

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Hickman & Smith Architects drawing number A-PL-001 Rev L. Thereafter the onsite parking provision shall be so maintained 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).

4. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 65 metres have been provided at the site access. 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).

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 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 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
4 March 2024

Case Officer
Victoria Vernon

Reviewer
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Date issued
18 March 2024