

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/R1

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 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 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 within its observations dated 19th December 2023 that a significant amount of additional information is required to be submitted to the LPA by the Applicant for further consideration by the LHA. Notably, but not limited to:

- Detailed drawings of the site access;
- Detailed drawings of the closure of the A511 access;
- All necessary supporting evidence in respect of site access arrangements including a Stage 1 Road Safety Audit, speed surveys and swept path analysis;
- Consideration of application 2022/EIA/0100/LCC in respect of the site access arrangements and also the public footpath;
- Potentially further consideration of Personal Injury Collision (PIC) data;
- Further consideration of trip rates and trip distribution;

- Further consideration of capacity assessments as well as the Coalville Contribution Strategy;
- Consideration of how pedestrians would safely access bus stops in the area;
- Consideration of the impact of the proposals on highway trees; and
- Provision of a Travel Plan.

The Applicant has subsequently submitted the following information with the view to resolving the LHA's previous comments:

- Transport Assessment (authored by Edwards and Edwards Consultancy Ltd); and
- Framework Travel Plan (received by the LPA on 31st May 2024).

Site Access

Details of the site access arrangements for both Cliffe Lane and Shaw Lane (A511) are shown on Edwards & Edwards drawing number 12305/001 Rev. C.

Cliffe Lane access

As shown on the drawing, the existing access on to Cliffe Lane would be closed and a new point of access would be provided 19m to the north of the existing access. This has been designed with a 15m junction radii and a width of 7.3m in accordance with Part 3, Table DG5 of the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>). The LHA do however advise that 1 in 10 tapers are included on a revised access drawing as per the diagram for use classes B2 to B8.

Two speed surveys have been undertaken in the vicinity of the site access, one to the north of the proposed access and one to the south, as shown within Appendix D of the TA. The surveys were undertaken as part of an Automatic Traffic Count (ATC) between 15th – 22nd March 2024. The LHA is aware permits were obtained from Leicestershire County Council (LCC) to undertake the surveys. The survey to the north of the access (indicating speeds for southbound vehicles) details 85th percentile speeds of 35.5mph, while the survey to the south of the access (indicating speeds for northbound vehicles) details 85th percentile speeds of 52.6mph.

Based on Part 3, Table DG4 of the LHDG, visibility splays of 2.4 x 73m to the north of the access and 2.4 x 160m to the south of the access would be required. To the north of the access, a 2.4 x 73m visibility splay has been detailed on the drawing, however it is accepted visibility more than this can be achieved. To the south of the access, the Applicant has detailed a 2.4 x 146m splay. It is stated that the splay is within the 'one step below desirable minimum' standards within the Design Manual for Roads and Bridges guidance. The LHA has visited the site and has measured a splay of 2.4 x 159m could be achieved. On this basis, the LHA is satisfied that appropriate visibility could be achieved at the vehicular access to the site.

Swept path analysis of an HGV has been undertaken at the site access, however the LHA is aware the length of the maximum legal length articulated vehicle has increased from 16.5m to 18.55m in May 2023, this should be reflected in the swept path analysis. Furthermore, a vehicle speed of 15kph is advised to be used for swept path analysis. A note should be added to the drawing confirming this. The proposed give way junction markings should also be shown on the drawing, demonstrating how the turning vehicle interacts with the proposed road markings. Ideally there should be no overrunning of the centreline by turning vehicles, but where this cannot be avoided the Applicant should confirm that there is adequate forward visibility for collisions between opposing vehicles to be avoided.

The Applicant has considered County Planning Authority application reference 2022/EIA/0100/LCC which seeks to realign part of Cliffe Lane. The Applicant has stated that whilst all planning applications should be considered on their own merits, the realignment is further south of the proposed access and would not have a detrimental impact on the proposals. The LHA have given this further consideration and are satisfied neither proposal is likely to have a detrimental impact on the other.

The LHA is aware that since submission of its previous observations, new double gates have been installed at the proposed location of the site access, however these do not line up with any dropped kerbs and it appears vehicles would access the site at an angle using the existing dropped kerbs. As such, the access would currently be considered unauthorised.

Shaw Lane (A511)

The drawing details that existing vehicular access on to Shaw Lane would be permanently closed because of the proposals and would only be accessible by pedestrians. In addition a 2.0m wide footway link would be provided between the access and the existing bus stop alongside the existing bus lay-by. This is welcomed by the LHA.

Stage 1 Road Safety Audit (RSA1)

The access proposals have been subject to a Stage 1 Road Safety Audit (RSA1), which is included within Appendix F of the TA. This did not raise any road safety problems in respect of the proposals.

However two additional observations were made which are referenced below.

1. A drainage gully which would fall within the proposed access. The RSA1 recommends this is relocated outside of the access; and
2. Vegetation obstructing the existing footway and bus shelter on Shaw Lane. The RSA recommends this is cut back.

The Applicant has accepted both observations and would address these at detailed design. This is accepted by the LHA.

Highway Safety

The Applicant has obtained Personal Injury Collision (PIC) Data from Leicestershire County Council (LCC) for Cliffe Lane and M1 J22 between 1st January 2018 and 31st August 2023. No PIC's have been identified on Cliffe Lane within 500m of the site access. Six PIC's were identified to have occurred on the M1 J22 roundabout, all of which were recorded as slight.

The Applicant has stated that after a review of the PIC's, none involved HGV's and that no patterns or trends could be identified in the PIC data. In addition, the Applicant considers that the level of PIC's could reasonably be considered low given the high volume of traffic which uses the roundabout.

The LHA has reviewed its PIC records and can confirm no additional PIC's have occurred at J22 up to the end of April 2024. One of the PIC's recorded at the roundabout does however involve an HGV. Nevertheless, the LHA accept the Applicants conclusion that the proposals are unlikely to be of detriment to highway safety. The acceptability of the proposals would, however, be contingent on the delivery of safe and suitable access for all users as required by the National Planning Policy Framework (NPPF - December 2023).

Trip Generation and Distribution

The LHA previously advised that TRICs surveys undertaken during the Covid-19 pandemic should not be included within the trip rate assessment. It was also unclear what the precise land uses would be for the site and that there were also discrepancies between the submitted information and the application form in respect of land uses.

The Applicant also stated that the proposed level of trips should not be considered as additional trips due to an existing business re-locating to the site and that a proportion of trips could already be generated by the site. This was not accepted by the LHA on the basis if an existing business re-located to the site, the existing site is likely to be occupied by another end user which could generate similar levels in trips and that there was no compelling evidence that the existing site would generate a substantial level of trips on a sustained daily/ weekly basis.

Finally, the Applicant previously stated LCC had advised the use of the Pan Regional Transport Model (PRTM) would not be required for trip distribution, however the LHA advised it had not been party to any discussions on the matter.

The Applicant has stated within the TA that the site is currently used for equestrian and agricultural purposes, however the site is not currently in use. It has therefore been advised traffic counts could not be undertaken at the site and that the TRICs database does not currently hold data on equestrian or agricultural land uses. No consideration has therefore been given to the existing level of trips the site could generate and it has been assumed that all trips generated by the proposals would be 'new'.

Trip Generation

The Applicant has included a Technical Note (TN) within Appendix G of the TA which considers trip rates. The proposal has been submitted as an application for 10,532m² of employment units (Use Classes E(g)(i), E(g)(ii), B2 and B8). The following uses of the site are proposed:

- 9,740 m² is proposed for storage and distribution purposes (units A, C and D)
- 792 m² is proposed for light industrial purposes (units B1, B2 and B3)

The Applicant has undertaken a further review of the TRICs database and excluded sites where surveys were undertaken during the Covid-19 pandemic. In addition, some sites have been excluded where it was considered they were not comparable to the proposals. 85th percentile trip rates have still been used, which the LHA previously accepted, however mean trip rates have been provided for a comparison.

B8 Trip Rates

Details of the approximate total level of B8 vehicle trips which could be generated by the proposals are shown in Tables 1, 2, 3 and 4 of the TN within Appendix G of the TA.

After reviewing the proposed trip rates, the LHA consider these to be acceptable.

B2 Trip Rates

Details of the approximate total level of B2 trips are shown in Tables 5, 6, 7 and 8 of the TN within Appendix G of the TA.

After reviewing the B2 trip rates, the LHA consider these to be acceptable.

Combined Trips

The approximate total level of trips generated by the site as a whole is shown in Table 1:

	AM peak (8AM – 9AM)	PM peak (5PM – 6PM)	Daily (7AM – 7PM)
85th Percentile Trip Rates			
Arrivals	38	12	235
Departures	16	32	248
Total	54	44	483
Mean Trip Rates			
Arrivals	20	6	150
Departures	9	19	153
Total	29	25	302

Table 1: Combined B2 & B8 trips – all vehicles (792m²).

Of the trips in Table 5, the approximate level of trips generated by HGVs for the site as a whole are shown in Table 2:

	AM peak (8AM – 9AM)	PM peak (5PM – 6PM)	Daily (7AM – 7PM)
85th Percentile Trip Rates			
Arrivals	5	2	40
Departures	3	4	38
Total	7	6	78
Mean Trip Rates			
Arrivals	3	1	38
Departures	3	3	37
Total	6	4	75

Table 2: Combined B2 & B8 trips – HGV's

Table 1 and Table 2 demonstrate that, under the updated analysis, the site could generate an overall total of 54 two-way trips in the network AM peak and 44 two-way trips in the network PM peak, based on the TRICS data. Of these trips, a total of seven are likely to be HGVs in the AM peak and six are likely to be HGVs in the PM peak.

Whilst the LHA note that the level of trips is reduced in comparison to the previous level, the assessment has removed sites that were surveyed during the Covid-19 pandemic, which could be considered unrepresentative of 'typical' conditions. Overall, the LHA advise it is satisfied with the trip rates for the proposed development.

Trip Distribution

Following submission of the previous highway observations, the Applicant liaised with the LHA in respect of the proposals and it was agreed that the use of PRTM was not required under the site-specific circumstances. Trip distribution has therefore been based on 2011 Census journey to work data for the North West Leicestershire 013 area. Whilst this does not fall within the Hinckley & Bosworth 001 area, the LHA accept that given the high number of industrial units and the proximity of the NWL 013 area from the site, it would be more representative to ascertain journey to work

data from that location. The Applicants proposed trip distribution is detailed in Table 3.

Direction	Proportion of Movements	Two Way Movements			
		All Vehicles		OGV	
		AM	PM	AM	PM
A511 Coaville and West	50%	27	22	4	3
A50 Leicester and East	11%	6	5	1	1
M1 South	23%	13	10	2	1
M1 North	14%	7	6	1	1
Cliffe Lane	2%	1	1	0	0
Total	100%	54	44	7	6

Table 3: Proposed trip distribution.

The Applicant has used the same distribution methodology for HGV trips, given the lack of HGV movements on Cliffe Lane currently.

The LHA has reviewed the Applicants trip distribution analysis and considers it to be acceptable.

Junction Capacity Assessments

The Applicant has undertaken a capacity assessment of the site access/ Cliffe Lane junction. The Applicant has used the average traffic volume ascertained from the southern ATC on Cliffe Lane for between Monday 18th and Thursday 21st March 2024. The ATC been factored up to the future year of 2029, five years following the year of submission of the application using TEMPRO traffic growth factors. The growth factors detailed within Table 4 of the TA are accepted by the LHA. No committed developments have been identified by the Applicant. As referred to further above in this report, the LHA is aware of application reference 2022/EIA/0100/LCC, which would increase the lifespan of the quarry, however the LHA advised as part of that application that it was satisfied that development would not result in additional traffic on the network.

The Applicant has also considered Junction 22 of the M1 and obtained a traffic count from LCC which was undertaken on 31st January 2023. Consideration has been given to the queue lengths at the junction, the available queueing space and the percentage of additional traffic as well as improvements undertaken in 2016. The Applicant has stated that given the level of additional traffic added to the junction it would be difficult to detect a meaningful difference in the operation of the Cliffe Lane arm or the complete junction with the additional development traffic. The Applicant considers that their analysis thus indicates that the development will not result in a severe impact at this junction and therefore it not considered appropriate or proportionate to undertake a capacity assessment of the junction. The LHA advise that given the proposals could result in approximately 53 two way trips in the AM peak and 43 two way trips in the PM peak, a capacity assessment of this junction will be required.

Following provision of a capacity assessment for M1 J22, the LHA will give further consideration to the Applicants capacity assessments.

The additional two-way movements which could be generated by the proposals on the A511/ A50 corridor at both the Flying Horse roundabout to the north west of M1 J22 and Field Head roundabout to the south east have also been provided as shown in Table 4.

	AM	PM
A511 Flying Horse	26	22
A50 Fieldhead	7	4

Table 4: Approximate additional two-way traffic movements at Fieldhead and Flying Horse junctions.

The Applicant has advised that they would be happy to contribute towards the Coalville Transport Strategy to mitigate the impact of the development on the A511/ A50 corridor without further assessment of these junctions.

Off-Site Implications

The LHA advise consideration is given to providing a 2.0m wide footway between the site access and service station egress at Cliffe Lane. Whilst the LHA acknowledge the only remaining operational facility at the service station is currently a hotel, with all other facilities being closed, it is possible that the site could re-open and provide food or shop options for employees in the future, which would be within walking distance.

Highway Trees

The LHA previously advised it was unclear how the proposals would affect an existing Oak tree within the highway. Following further information in respect of the site access, the LHA is satisfied the existing highway tree is unlikely to be affected by the proposals.

Internal Layout

The internal layout of the development is not for consideration at this stage and therefore has not been studied in detail.

Transport Sustainability

The LHA has reviewed the submitted Framework Travel Plan (FTP) and advise it is a well researched FTP and contains many good and excellent features.

The provision of new pedestrian access to the site is detailed at Para. 2.1.3, the local cycling quieter routes have been correctly identified at Para. 2.17 .

In addition it is correct to identify the increased popularity and viability of electric bikes at Para. 2.18 and these are a credible addition to the plans to increase levels of cycling onto the site .

Public transport provision is covered at Para. 2.1.10 by identifying bus stops at 45m distance from the site with the 29/X29/29A service timetable contained at Appendix C.

Table 2 discusses aspirational measures, such as how many car share spaces will be implemented and where on the site will they be. More specific information regarding the safe and secure cycle parking facilities could also be provided. Nevertheless, the LHA can seek to condition cycle parking and review car share spaces at the reserved matters stage.

In operational terms the appointment of a FTP Co-ordinator is discussed and planned for, but the anticipated date of appointment for this vitally important role is vague, although it is noted the commitments included in Table 4. Also vague is the welcome pledge to provide staff with information about sustainable travel chronicled at Para. 4.16. No information is given about the method and content and format of this information.

It is noted the provision of completed Welcome Packs is discussed at Table 4. It should be noted LCC can provide Travel Packs to employees at the cost of £52.85 per person. If the applicant wishes to provide these directly a proof will need to be sent to LCC for approval – the fee for this service is currently £500

Monitoring and reporting of the travel plan should be undertaken annually and the Framework Travel Plan Coordinator should be responsible for submitting the results to LCC. A monitoring fee of £11,337.50 applies for this service. LCC advise the use of Modeshift STARS for this purpose, more details are available from the Sustainable Travel Team at LCC

The LHA also advise that the Travel Pack should contain an application form for a six-month free bus pass for each employee, which is currently £490.00 per pass.

Public Rights of Way (PROW)

Public Footpath R100 is beside the southern site boundary and joins Cliffe Lane at the same point as the existing site access.

The submitted TA notes the point about the footpath and site access and states: It will be ensured that any access improvements associated with the proposed development do not impede on the use and accessibility of the PROW. It appears visibility splays for vehicle access to the site are proposed at this location.

The alignment of the footpath is legally 'fixed' by the Definitive Map public right of way, the official record. It is therefore important for any changes to ensure that the legally-defined footpath route remains clear, available, and safe to use - as any impediments may constitute an unlawful obstruction of the public right of way. Also this application needs to reflect current mineral planning application 2022/EIA/0100/LCC for the eastern extension of Old Cliffe Hill quarry which includes building a new roadside footway on Cliffe Lane. Along with Footpath R100 and existing footways the new footway section will create a complete pedestrian circuit around the Old Cliffe Hill quarry. As a result Footpath R100 will see increased use, meaning the vehicle access proposed for this site may need further work to ensure pedestrian safety.

The NPPF (December 2023) paragraphs 96 and 102 refer to the health and well-being benefits of safe and accessible green infrastructure providing opportunities for physical activity and encouraging walking etc. More specifically paragraph 104 says: Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

To encourage the health and well-being of people working on the application site by taking walks during lunchtimes at least during the summer periods, the applicant should consider including a pedestrian path and gate allowing direct access from the site onto the footpath. The footpath is also the shortest pedestrian route from the site to Stanton under Bardon village and so there is a possibility of locals using the route to access employment. Both uses would be more likely if the footpath had a better surface and so the applicant is asked to contribute towards surface improvements such as laying a layer of crushed stone.

Closing

The LHA advise that the following additional information is required to be submitted to the Local Planning Authority by the Applicant for further consideration by the LHA. Notably, but not limited to:

- Amendments to the site access design and swept path analysis of a larger HGV;
- A capacity assessment of M1 J22;
- Consideration of a pedestrian footway between the Cliffe Lane access and the nearby service station; and
- An updated Travel Plan as detailed within the Transport Sustainability section further above.

Date Received
7 June 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
18 July 2024