

**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.

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**APPLICATION DETAILS:**

Planning Application Number: 24/00357/FUL

Highway Reference Number: 2024/0357/04/H

Application Address: Weston Bosworth Road Carlton Nuneaton Leicestershire CV13 0BX

Application Type: Full

Description of Application: Demolition of existing garage and construction of a new skincare treatment room with associated access and car park

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**GENERAL DETAILS**

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mr John Oakley

County Councillor: Bertie Harrison-Rushton

Parish: Carlton

Road Classification: Class C

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**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) is in receipt of a full application for the demolition of an existing garage and construction of a new skincare treatment room with associated access and car park at Weston, Bosworth Road, Carlton, Nuneaton.

**Site Access**

The site is served by an existing access that leads onto Bosworth Road, a classified C road subject to a 30mph speed limit.

The applicant intends to improve the existing access and utilise it to serve the new skincare treatment room and the existing dwelling.

Figure DG17 of Part 3 of the Leicestershire Highways Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>) states that for an access serving a single dwelling - the

access should be a minimum of 2.75m wide for a minimum distance of 5m behind the highway boundary. The width of the access is in accordance with DG17 of the LHDG.

As this development would represent an intensification of the existing access, the applicant is required to demonstrate adequate visibility can be achieved at the site access for the recorded 85th percentile speeds, in line with Table DG4 of Part 3 of the LHDG. The LHA welcomes the Automated Traffic Count (ATC) speed survey submitted to the Local Planning Authority (LPA) on 15 April 2024. This was undertaken from 24 February 2024 to 01 March 2024 and shows 85th percentile speeds of 32.5mph in the southbound direction and 29.5mph in the northbound direction.

The LHA have compared the results of the applicants speed survey to historical speed data held on Bosworth Road. Historical speed data from a speed survey conducted in January 2019 show the 85th percentile speed is 47.4mph in the southbound direction and 46.2 in the northbound direction. After assessing the speed survey submitted by the applicant, the LHA note the 85th percentile established is demonstrably lower. The LHA believe that the historical survey data could be a more accurate reflection of speeds in the area than the data submitted by the applicant. The survey was undertaken in close proximity to the 60mph speed terminals.

Per Table DG4 Part 3 of the LHDG – the visibility splays required based on the 85th percentile of vehicular speeds of the LHA's 2019 survey would be 160 metres in both directions from the access. The visibility splays demonstrated on JRC Transport Consulting Ltd Drawing Number CH001 shows vehicular visibility splays of 2.4m x 120m shown at both sides of the site access, which is not in accordance with Table DG4 for the 85th percentile of speed of the road.

The LHA have considered the access proposal submitted by the applicant, the site access location, the historical speed data and the ATC speed survey submitted by the applicant. The LHA conclude that given the location of the January 2019 speed survey is in close proximity to the 60mph speed terminals and approximately 130m further south than the applicants survey, it is likely that vehicles would speed up after viewing the speed change, therefore the LHA conclude the speeds on the stretch of Bosworth Road outside of the site are likely to be lower.

The LHA have considered the above including the good highway safety record at the site location and believe the visibility demonstrated on JRC Transport Consulting Ltd Drawing Number CH001 to be safe and suitable in the site specific circumstances for the development.

### **Highway Safety**

There has been one Personal Injury Collision (PIC) that has been recorded within 500m (either direction) of the site within the most recent five-year period. The PIC's was recorded as slight and occurred approximately 150m north of the site access. The LHA has given consideration to the circumstances of the PIC and does not consider that the development proposal would exacerbate the likelihood of further such incidents occurring.

### **Internal Layout**

The internal layout of the proposals are detailed on Hayward Architects Ltd Drawing Number 23-98-SK05. The drawing shows the provision of three parking spaces on site to serve the existing three bedroom dwelling and skincare treatment room.

The LHA advises per Paragraph 3.151 and Highway Requirements Part 4 of the LHDG that two parking spaces are required to serve a three bedroom dwelling. The provision shown is therefore suitable to serve the dwelling.

The LHA have assessed the applicants supporting statement and note the skincare treatment room will be operated by the resident of the associated dwelling and the size and scale of the treatment room ensures only one client can be treated at one time.

Considering all of the above, the LHA believe the parking provision demonstrated by the applicant is sufficient for the proposed development. The LPA should note that if the applicant wished to expand the treatment room to cater for more clients, the LHA would need to be re-consulted to determine the suitability of the site access and internal layout to cater for further intensification.

### **Conditions**

1. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

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

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 120 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).

3. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (December 2023).

4. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Hayward Architects Ltd Drawing Number 23-98-SK05. Thereafter the onsite parking and turning provision shall be kept available for such uses 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).

5. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 2.75 metres and a gradient of no more than 1:20 for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material. The access once provided shall be so maintained at all times.

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).

6. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (December 2023)

**Date Received**  
**19 April 2024**

**Case Officer**  
**Oliver Rivera**

**Reviewer**  
**BD**

**Date issued**  
**08 May 2024**