

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: 23/01023/HYB

Highway Reference Number: 2023/1023/04/H/R3

Application Address: Land East of Stretton Croft Wolvey Road Burbage Leicestershire

Application Type: Hybrid

Description of Application: Re-consultation. Construction of motorway service area comprising of vehicular and pedestrian access from the A5, petrol filling station for domestic vehicles, HGV filling station, Main PFS / Services building, drive thru unit, EV charging spaces, customer parking spaces including HGV, coach and caravan provision, landscaping including picnic and dog walking areas, electric substations and retaining walls at south/western boundary fronting the M69 (Cross boundary application with Rugby Borough Council)

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: Mr Ross Fraser

County Councillor: Cllr Barry Walker

Parish: Burbage

Road Classification: Class A

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) previously advised it had no objection to the proposals subject to conditions and contributions within its observations dated 17th April 2024.

The Applicant has subsequently submitted a letter dated 20th August 2024 and authored by Dynamic Transport Planning in response to further comments raised by National Highways. The LHA note the Applicant is in ongoing discussions regarding the proposals with National Highways in order to resolve their outstanding concerns.

The LHA advise the comments raised within its previous observations in respect of the proposals remain in full however, where necessary, revised conditions have been advised to reflect updated drawings.

Conditions

1. No part of the development shall be occupied until such time as the offsite works shown on DTP drawing number DTP/3711622/SK004 Rev D have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

2. The development hereby permitted shall not be occupied until such time as off street car and HGV parking provision (with turning facilities) has been provided, hard surfaced (and demarcated) in accordance with ADS drawing number 26 Rev P. Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) 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).

Contributions

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

1. To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing employee car use:
 - a. Travel Packs, one per employee; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Reason: To inform new employees from first use what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first use of the development.

- b. Six month bus passes, one per employee (one application form to be included in Travel Packs and funded by the developer); to encourage new employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £510.00 per pass).

Reason: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 100% paid prior to the occupation of the

development. However, payment of 75% of the total contribution may be deferred to a later date by agreement of a timescale with the County Council.

- c. Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after first use. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the required Travel Plan.

- d. Modeshift Stars travel plan monitoring fee of £6,000.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

Suggested trigger point: Prior to the first use of the development.

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 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>.

Date Received
22 August 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
13 September 2024