

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: 23/00696/OUT

Highway Reference Number: 2023/0696/04/H

Application Address: Greenacres Ashby Road Stapleton Leicester Leicestershire LE9 8JE

Application Type: Outline (with access)

Description of Application:

Outline planning application for up to 9 dwellings and associated garages (All matters reserved except for access)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Matthew Gilliver

County Councillor: Ross Hills

Parish: Peckleton

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 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) have been consulted on an outline application 23/00696/OUT which is for the erection of up to nine dwellings and associated garages with all matters reserved except for access. The proposed development is at Greenacres, Ashby Road, Stapleton, Leicestershire, LE9 8JE.

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

- 21/00863/OUT - Demolition of Greenacres Garden Centre and the erection of up to 12 new dwellings (outline - access only). The LHA advised approval with conditions on 16 November 2021. The scheme was subsequently approved by the Local Planning Authority on 19 December 2022.

Site Access

The Applicant is proposing to utilise the existing access off Ashby Road. Ashby Road is a classified A road (A447) which is subject to a 50mph speed limit. The existing access currently serves the Greenacres Garden Centre. The access is also currently served by a ghost right turn lane.

The Applicant has stated within Paragraph 5.21 of the 'Planning Statement', authored by JMI Planning that:

'Access arrangements remain identical to those previously proposed to which the Highway Authority raised no objections. Ashby Road is subject to a 50mph speed limit and visibility is good in both directions. It is also pertinent that a development of nine dwellings is likely to result in fewer vehicle movements than the established use of the site as a garden centre.'

Taking into account the access arrangements have been previously fully assessed and approved under 21/00863/OUT, given the proposals are a smaller scale with a reduction of three dwellings over the extant permission, the LHA consider it unreasonable to request any access amendments in these site specific circumstances.

The LHA previously stated within observations provided as part of 21/00863/OUT that the ghost right turn lane would not usually be required to serve the proposed development given the level of traffic it would generate. The Applicant has not indicated as part of these proposals if the ghost right turn is to be removed. Given the previous comments made by the LHA as part of 21/00863/OUT, the LHA again confirm it would not usually require a ghost right turn lane for such proposals, however under the site specific circumstances the LHA has no objection to the existing ghost right turn lane remaining in place and could not currently justify its removal at the expense of the Applicant.

Whilst taking the above into account, it is noted by the LHA that no access arrangement drawing appears to have been submitted as part of this application. Whilst the LHA appreciate the principle of the access is acceptable, given this application is to consider access only, in order to condition the access in the agreed form and to retain it in perpetuity the LHA request the Applicant provide a scaled access drawing. This should include effective access width, visibility splays and any agreed footway provision.

Highway Safety

The LHA note no Personal Injury Collision (PIC) data has been provided by the Applicant as part of this application. Within the previously approved scheme submitted under 21/00863/OUT, the LHA stated they were aware of two PIC's to the north of the access and seven to the south. Given that some of these PIC's took place over five years ago they will have fallen away, however new ones may have occurred and been reported to the LHA by the police.

The LHA have again reviewed their PIC's data and find there are two x PIC's to the north with one having fallen away, and a new PIC added to the database. The new PIC to the north was classed as serious which involved a pedestrian crossing the road.

Given that PIC's that occurred over five years ago from the time of application fall away, the LHA can find four x PIC's to the south, three of which were slight and one serious.

However, notwithstanding the number of PIC's which have occurred within the vicinity of the site, to which the data indicates has fallen in number, the proposals again would lead to a further reduction to the overall levels of daily traffic which is generated by the site, and as such the LHA could not justify any further consideration is given to the PICs in the area.

Off-Site Implications

The LHA notes that there is a petrol station and convenience store in close proximity to the site. The LHA consider the proposals could generate an increase in footfall to the convenience store and currently there is no pedestrian footway along the A447 between the site and the convenience store.

Paragraph 5.21 of the 'Planning Statement', authored by JMI Planning states that access arrangements remain identical to those previously proposed. The previously approved access plan under 21/00863/OUT demonstrated a 2m wide footway to the north of the site. Whilst the LHA would therefore assume a 2m wide footway to the north would be provided, it should be demonstrated on a scaled drawing to ensure it is provided and conditioned.

It is noted there are a number of brown tourism signs directing drivers to the garden centre in the vicinity of the access, these would need to be removed at the expense of the Applicant should the proposals be granted planning permission by the Local Planning Authority.

Internal Layout

The internal layout of the development is not to be consideration at this stage. The Applicant has stated within Paragraph 3.5 of the 'Planning Statement' that the internal road network is likely to remain in private ownership. The LHA advise at this stage that adequate parking and turning provision would be required within the development and that the road network should be designed to an adoptable standard, even if it is to remain private.

Date Received
19 July 2023

Case Officer
Neal Chantrill

Reviewer
DH

Date issued
3 August 2023