

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: 23/01182/FUL

Highway Reference Number: 2023/1182/04/H/R5

Application Address: Allbar Sports Trinity Lane Hinckley Leicestershire LE10 0BH

Application Type: Full

Description of Application: Re-consultation. Change of use from cinema (Sui Generis) to 40 one-bedroom apartments

(Use Class C3) with associated car parking and landscaping

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr Chima

County Councillor: Cllr Stuart Bray

Parish: Hinckley

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 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 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

The Local Highway Authority (LHA) has been re-consulted by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council, on a planning application at Allbar Sports, Trinity Lane, Hinckley. This application is for the change of use from cinema (Sui Generis) to 40 one-bedroom apartments (Use Class C3) with associated car parking and landscaping.

The LHA previously responded to this application on 5th February 2024, 28th March 2024, 29th April 2024, 25th November 2024 and 11th December 2024, advising in the latest observations that, in the LHA's 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.

The LHA has now been reconsulted by the LPA, who has requested revised observations in light of the publication of a revised Leicestershire Highway Design Guide (LHDG - <https://www.leicestershirehighwaydesignguide.uk/>).

The only changes to the LHDG which affects this application would be the parking guidance.

The revised LHDG now recommends that off-street car parking is provided on the basis of two spaces for each C3 unit with three or less bedrooms. However, it is important to note that this is guidance which does not account for site specifics or the specific nature of proposals. It should also be noted that the proposed off-street car parking quantum does not accord with the previous LHDG which was based on calculations derived from the Department for Communities and Local Government research paper on residential car parking.

As outlined in the previous highway observations, the LHA notes that the site is sustainably located and that there are on-street parking restrictions in the vicinity which are designed to prevent hazardous on-street parking. It is also noted that 40 'Cardiff' style cycle racks and 10 'Sheffield' style cycle racks would be provided within the site, and that travel packs and bus passes would be provided to the first residents to encourage sustainable travel. The applicant has also indicated that these spaces would be allocated / controlled, with residents being given the option of purchasing a car parking permit for the site when taking up residence on a 'first come, first served' basis.

Given the above, it remains the LHA's view that the proposed development would not result in hazardous on-street parking in the vicinity, and that an unacceptable impact on highway safety could not be demonstrated in the context of paragraph 116 of the National Planning Policy Framework (2024).

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Highway Access Solutions drawing number HAS/23-071/05 Revision C 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 2024).

2. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Storm Design drawing number

22/848/06c. 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 2024).

3. The development hereby permitted shall not be occupied until such time as the cycle parking facilities have been implemented in accordance with Storm Design drawing number 23/848/01F. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (December 2024).

4. 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 gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

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 2024).

Contributions

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 car use:

- A. Travel Packs, one per dwelling; 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).

Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.

- B. Six month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents 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 the current cost of £510.00 per pass).

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

Informative

- a. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

Date Received
6 January 2025

Case Officer
Daniel Putnam

Reviewer
DH

Date Issued
21 January 2025