

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: 24/01158/OUT

Highway Reference Number: 2024/1158/04/H

Application Address: Land Off Brascote Lane Brascote Lane Newbold Verdon Leicestershire

Application Type: Outline (with access)

Description of Application: Outline planning application for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Richborough

County Councillor: Ross Hills

Parish: Newbold Verdon

Road Classification: Class C

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 consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on an outline application for the erection of up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works at land off Brascote Lane, Brascote Lane, Newbold Verdon. All matters other than access are reserved at this stage.

The LHA has reviewed the following documents which have been submitted by the Applicant in support of the proposals:

- Transport Assessment ([TA] Rev. B dated 5th July 2024 and authored by Hub);
- Travel Plan (Rev. B dated 9th May 2023 and authored by Hub); and
- Design & Access Statement.

Site Access

Details of the site access are shown on Hub drawing number T20517 001 Rev C, which is included within the Drawings section of the TA. Access is proposed off Brascote Lane, a C classified road subject to the national speed limit. The Access arrangements are the same as those approved as part of application/ appeal references 22/00277/OUT / APP/K2420/W/23/3331081 (outline [access] application for 239 dwellings - land east of The Windmill Inn, Brascote Lane, Newbold Verdon). As part of that application, the LHA reviewed the access design, Stage 1 Road Safety Audit and swept path analysis and considered it to be acceptable to cater for that development.

The access consists of a 6.75m Major Residential Access Road, two-metre-wide footways each side of the carriageway and a 10.0m wide junction radii.

Notwithstanding the above, the LHA advises that the proposals would result in a total of 374 dwellings accessed from a single point of access onto Brascote Lane. The LHA request the Applicant consults Figure 2.3.1 of the Design Manual for Roads and Bridges CD123¹ to determine whether a simple priority junction has sufficient capacity for the increased number of dwellings, as it may be that a Ghost Right Turn lane is required for the additional development. It should be noted that revised access proposals would need to be subject to a Stage 1 Road Safety Audit, with a Designer's Response provided to any problems raised.

Since the previous application at the site, the Leicestershire Highway Design Guide (LHDG, available at <https://www.leicestershirehighwaydesignguide.uk/>) has also been updated. The Applicant should therefore give consideration to active travel provisions i.e. cycling facilities at the site access and whether any form of active travel provisions could be made to serve the proposed development.

It is understood that following access to the adopted highway off Brascote Lane, the development would be accessed via the continuation of two internal development roads (STR05 - ACCESS ROAD and STR14 - ACCESS ROAD) proposed as part of reserved matters application reference 24/00854/REM. That application is yet to be determined by the LPA.

The LHA strongly advises the Applicant to future proof the layout as part of that application to allow for this proposed development. That may require commuted sums in the event these proposals are not granted planning permission, because some development roads within application 24/00854/REM may need to be designed in excess of what is required for the scale of development they would otherwise serve.

Highway Safety

The Applicant states that Personal Injury Collision (PIC) data has been obtained for between 1st January 2016 and 31st July 2023. This is summarised within Table 1 of the TA, along with a location plan which is included within Appendix C. The PIC data which has been included within Appendix C of the TA and appears to have been obtained from Leicestershire County Council covers the dates between 1st January 2017 and 31st July 2022.

The LHA advises that in either case, the data is considered to be out of date given this application was submitted in December 2024 and PIC analysis should be for the most recent five-year period. Up to date PIC data can be obtained from Leicestershire County Council by contacting rtcddata@leics.gov.uk.

¹ <https://www.standardsforhighways.co.uk/search/962a81c1-abda-4424-96c9-fe4c2287308c>

Trip Generation and Distribution

Trip Generation

In order to establish the level of vehicular traffic which could be generated by the proposed development during the AM and PM peak hours, the Applicant has used the same TRICs trip rates as those accepted by the LHA as part of approved application reference 22/00277/OUT and live application reference 24/01061/OUT (Outline planning application (all matters reserved except vehicular access) for the erection of up to 240 residential dwellings, a cemetery and a health centre (Use Class E(e)), public open space and associated infrastructure. The LHA therefore considers the vehicular trip rates shown in Table 1 to be acceptable.

Peak Period	Trip Rate		Trips (135 Dwellings)		Total
	In	Out	In	Out	
AM	0.074	0.606	10	82	92
PM	0.521	0.17	70	23	93

NB: AM peak is 08:00-09:00, PM peak is 17:00-18:00; trips have been rounded.

Table 1: Vehicular trip rates (135 dwellings).

Trip Distribution

The Applicant has based trip distribution analysis on the pattern which was agreed as part of approved application reference 22/00277/OUT. This made use of the Leicestershire Pan Regional Transport Model (PRTM). Given the scale of the development proposed, the number of developments in surrounding villages, e.g. Desford, Market Bosworth and Barlestone, as well as within Newbold Verdon, the LHA advises the Applicant to undertake further PRTM analysis on the basis of the current situation.

The Applicant has already contacted etcf@leics.gov.uk and is liaising with the LHA in order to agree the level of assessment required. Further information on PRTM be found at: <https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/leicestershires-pan-regional-transport-model-prtm>.

Junction Capacity Assessments

The Applicants study junctions are detailed below:

1. Site Access/ Brascote Lane
2. Main Street/ Brascote Lane
3. Main Street/ Barlestone Road

It is stated that these are the junctions where 30 or more two-way trips (e.g. 15 arrivals and 15 departures) are forecast to be generated during either/ both the AM and PM peaks. The LHA advise that the Applicants traffic flow diagrams do not appear to be available to view and these will be required.

To establish the baseline survey data, the Applicant states within the TA that traffic surveys from approved application 22/00277/OUT have been used. These surveys were undertaken at the study junctions on Tuesday 29 June 2021 and included uplift factors to account for the Covid-19 pandemic. As part of application 24/01061/OUT, the Applicant used the same traffic surveys. The LHA advised within its observations dated 17th January 2025 that these surveys are considered to be over three years old and out of date. It was therefore advised that up-to-date traffic surveys should be undertaken in a traffic neutral month. Alternatively, LCC may hold up to date surveys

which the Applicant could obtain, the Applicant would need to contact contacts NDI@leics.gov.uk for further information. The LHA therefore advises the Applicant should undertake an updated traffic survey at all junctions and may wish to liaise with the Applicant for application 24/01061/OUT to use the same survey data where appropriate.

In addition, the Applicant has stated that traffic flows for junctions 5, 6 and 7 have been obtained from application reference 22/00277/OUT, which were undertaken in June 2021. These surveys are considered to be over three years old and out of date and that up-to-date traffic surveys should be undertaken in a traffic neutral month. Alternatively, LCC may hold up to date surveys which the Applicant could obtain, the Applicant would need to contact contacts NDI@leics.gov.uk for further information.

TEMPro traffic growth factors have been applied to the baseline 2021 counts to create forecast levels for 2024 and the future year of 2029. The LHA advises growth factors should be applied from the PRTM.

The LHA will give further consideration to the Applicants traffic flow diagrams, study junctions and capacity assessments once the PRTM exercise has been completed and both the traffic flow diagrams and the capacity assessments have incorporated the results of this.

Off-Site Implications

The LHA will give further consideration to any off-site impacts of the proposals following updated capacity assessments.

Internal Layout

The internal layout of the development is not for consideration at this stage. It should be noted that the LHA will require the access road leading from Brascote Lane to this development to be designed to an adoptable standard as part of application 24/00854/REM, should the Applicant wish for the internal road network of this further development to be considered for adoption. As stated further above, the LHA strongly advises the road network of application 24/00854/REM is future-proofed to accommodate this proposed development.

Transport Sustainability

The LHA has reviewed the submitted Travel Plan and advises the Applicant has considered all the necessary elements required. There has been due consideration of the current network, accessibility and public transport provision. The development relies on footpath S26 which needs improvements to the surface (which may require work on drainage), to the boundaries, and other provision, as detailed in the Public Rights of Way comments below.

With regards to public transport, there has been due consideration of the current network, accessibility and provision. It is noted a possible error in the plan. The eastbound stop provides a small shelter, whilst the eastbound stop takes the form of flagpole, stops both of which are served by the number 153 Arriva Midlands bus service. It is believed there has been confusion between eastbound and westbound stops. However, upon reviewing the infrastructure, the existing provisions at both stops are considered acceptable. A target of 5% reduction in car journeys is fair due to the rural location of the village. Furthermore, a range of measures and incentives are going to be considered by the Applicant to increase sustainable travel across the site. Finally, it is recognised that the Arriva 153 bus service is more than the LHA's advised 400m walking distance from the site and diverting the service could have impacts on the timetable.

Public Rights of Way

The application site adjoins the existing built-up area of Newbold Verdon but there is only public pedestrian access to the site, either via the already approved Brascote Lane Phase One development 22/00277/OUT, or via Public Footpath S26 which runs along inside the eastern edge of the development, part of which adjoins the Alans Way Sports Fields. Footpath S26 is the most direct pedestrian route from the site to the village centre.

Page 58 of the Design and Access Statement (DAS) shows, in the northeast corner of the development, a Proposed Footpath link to S26. Page 32 of the DAS states there will be *'improvements provided on a short section northwards to Alan's Way'*. The Landscape Masterplan proposes an additional link at the bend on Footpath S26 just south of the proposed Local Equipped Area for Play (LEAP).

Para. 3.25 of the TA adds more, noting that a *'public right of way (PROW) runs along the eastern boundary of the proposed development, PROW S26, which connects to Alans Way. PROW S27 also connects S26 to Barbara Avenue nearby, allowing multiple points of access for pedestrians onto Arnold's Crescent.'* The Parameters Plan highlights that Footpath S26 also provides leisure options southwards to Kirkby Lane and via farmer's field to Peckleton village.

Currently Footpath S26 is an earth surfaced rural-style footpath from Alans Way, though the Footpath S27 link to Barbara Avenue is understood to have a tarmac surface provided by that development in the past. For Footpath S26 to have the access role envisaged requires improvements to the surface (which may require work on drainage), to the boundaries, and other provision.

Paragraph 105 of the National Planning Policy Framework (NPPF – December 2024) requires:

'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users'

This requirement is echoed in the National Design Guide Para 82. The NPPF is underpinned by Planning Practice Guidance (PPG) which references the Defra Rights of Way circular (1/09). The NPPF, PPG and Circular 1/09 are applied locally by the LHDG, in which the guidance on Development and public rights of way is at:

<https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-way>

Paragraph 12 of the LHDG PRoW guidance notes that paths will usually require provision of tarmacadamed all-weather surfaces, which Paragraph 17 notes should be 2 metres with a verge either side. Currently Footpath S26 is a green corridor between old field hedges. Maintenance of hedges besides paths is the landowner responsibility, a role which has not always been fulfilled here in the past. There is a need for the hedges to be more actively managed to ensure they do not encroach at the sides of the path and to reduce them to a more manageable height to ensure the path is less secluded and so not perceived as a haven for anti-social activities.

Based on the PRoW enhancement duty in Paragraph 105 of the NPPF, the LHDG PRoW guidance expects that the full length of PRoWs within an application site will be given an all-weather tarmacadamed surface so that it is available to be connected into by any future development beyond this site, much as this development benefits from PRoW sections surfaced in the past.

Streetlighting is less common on PRoWs, but in this case some provision would be needed between the link with the Proposed Site Footpath and the exit onto Alans Way to ensure the route

is safe, and feels safe and pleasant to use during both day and night. The LHDG guidance on streetlighting is at: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/street-lighting-design>.

To comply with the NPPF requirement that PRow are protected, and also enhanced, in the event the LHA was mindful to advise no objection to the proposals in the future, it will request a condition requiring an agreed scheme for the treatment of the PRow in and around the site including appropriate new or renewed signage. From Alans Way southwards it is 130 metres along Footpath S26 to the northeastern corner of the application site. The surfacing of that section will need to be secured by a Section 106 Agreement.

Closing

The LHA requires the Applicant to submit additional information to the LPA, for further consideration by the LHA. This includes the following:

- Consideration of a Ghost Right Turn Lane and active travel measures as detailed further above;
- PIC analysis based on up to date PIC data;
- Trip distribution for the proposals based on updated PRTM evidence;
- Updated traffic counts which have been undertaken during a traffic neutral month within the last three years; and
- Capacity assessments and consideration of all study junctions based on PRTM evidence;

Date Received
6 January 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
10 February 2025