

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: 21/00664/FUL

Highway Reference Number: 2021/0664/04/H/R5

Application Address: Crown Farm Bagworth Road Nailstone Leicestershire CV13 0QL

Application Type: Full

Description of Application:

Re-consultation. Proposed Change of Use from Agricultural to Storage and Distribution (Class B8)

GENERAL DETAILS

Planning Case Officer: Amanda Haisman

Applicant: Quorn Country Tiles Ltd.

County Councillor: Bertie Harrison-Rushton

Parish: Nailstone

Road Classification: Class B

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 111 of the National Planning Policy Framework (2021), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

Following the Local Highway Authorities (LHA's) previous observations dated 8 October 2021 advising refusal of the proposals, additional information (including vehicle tracking) has been submitted by the Applicant to the Local Planning Authority in an e-mail dated 18 October 2021.

Site Access

Vehicle tracking of an HGV arriving and departing from the site has been detailed on Edwards and Edwards drawing number TRCK/01 Rev A. While the LHA still considers the access arrangements could be over-engineered for the scale of development proposed, ultimately the vehicle tracking is considered acceptable and could cater for the type of vehicles which could be

accessing/egressing the site. Therefore the LHA have no objections to the site access arrangement.

The Applicant still disputes the use of handheld radar survey over an automatic survey and also makes reference to an appeal (reference APP/Q3115/W/17/3179874) which states Manual for Streets 2 should be the starting point for measuring vehicular visibility splays. The LHA does not believe that the appeal site is located on a comparable road classification. Nevertheless, given the proximity of the bend in the road to the south, the LHA consider that this is likely to act as a physical constraint on vehicle speeds and appropriate visibility could be achieved in accordance with the Leicestershire Highway Design Guide (LHDG) and accordance with the submitted handheld radar survey.

Trip Generation

Given the LHA now consider a safe and suitable access could be achieved to the site, under the site specific circumstances, the LHA would not seek to resist the proposals on the grounds of Part 1, Section IN5 of the LHDG.

Transport Sustainability

The LHA continue to advise the site is not considered to be located in a sustainable location in transport terms, however it is satisfied for the LPA to consider transport sustainability alongside its other sustainability consideration for the site. Nevertheless, the LHA would welcome the provision of cycle parking by the Applicant, should there be demand from employees.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on The Drawing Room drawing number 3525-01 Rev I 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 (2021).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 metres to the southeast and 2.4 x 200 metres to the northwest 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 (2021).

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with The Drawing Room drawing number 3525-01 Rev G. Thereafter the onsite parking provision shall be so maintained 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 (2021).

4. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. 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 20 metres of the highway boundary, nor shall any be erected within a distance of 20 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 (2021).

5. 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 (2021).

6. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 20 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

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 major section 184 permit/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>

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

Date Received
19 October 2021

Case Officer
Ben Dutton

Reviewer
DH

Date issued
2 November 2021