

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: 23/01066/OUT

Highway Reference Number: 2023/1066/04/H

Application Address: The Corner Ways 14A The Common Barwell Leicester Leicestershire LE9 8BR

Application Type: Outline

Description of Application:

Outline planning permission for the construction of up to 3 dwellings (all matters reserved)

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr P Boswell

County Councillor: Ross Hills

Parish: Barwell

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 the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (NPPF) 2023 and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reason for refusal:

- 1. The Applicant has failed to demonstrate that a safe and suitable vehicular access would be provided and the proposal, if permitted, could consequently result in an intensification of use of an access with substandard width, vehicle visibility and pedestrian visibility, leading to dangers for all highway users and contrary to paragraphs 110 and 111 of the National Planning Policy Framework (2023).**

Background

The Local Highway Authority (LHA) have been consulted on application 23/01066/OUT for the outline planning permission for the construction of up to three dwellings (all matters reserved). The application site is situated at The Corner Ways, 14A The Common, Barwell, Leicestershire, LE9 8BR.

Site Access

The Applicant intends to utilise the existing access onto The Common. The Common is an adopted, unclassified road subject to a 30mph speed limit.

It appears the site is currently occupied by a single storey dwelling. The 'Proposed Use' section of the 'Design & Access Statement (DAS)' submitted as part of the application states this would be demolished to make way for the proposed dwellings. It does not appear any access amendments are proposed as part of the proposals.

Notwithstanding the above, a site visit was carried out by the LHA on the 23 November 2023, to measure the visibility splays and access width.

Access Width

The access width was measured at 2.9m, at a point 5m back from the nearside edge of the carriageway. However, to accord with Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG), an access for two-five dwellings is required to have a minimum effective width of 4.25m, with 0.5m added to each side bound by a wall, fence, hedge, line of trees, etc. Therefore, in this instance, an access width of 5.25m is required for the first 5m behind the highway boundary. It is also noted the private access drive runs approximately 30m from the public highway boundary to the proposed off-street car parking area and is bound both sides for the entire length.

Given the above, the access does not provide adequate width to allow access for two vehicles to pass. The LHA notes that the Applicant has not submitted a Stage 1 Road Safety Audit with a suitably worded designers' response, or a speed/traffic count survey as part of the application.

The LHA also note at this point, given the application is 'All Matters Reserved', after talks with the Local Planning Authority (LPA) no additional information can be requested at this time, and a response is to be provided to the LPA based on the information provided by the Applicant.

The LHA notes that The Common links to the A47 approximately 625m to the southeast of the site access. The LHA holds historical data on record from April 2018 that there were approximately 500 two-way trips in the AM peak and approximately 600 two-way trips in the PM peak along The Common. The LHA consider this information relevant due to the possibility of vehicles waiting on the public highway / reversing into the public highway where there is restricted visibility, on-street car parking and within the vicinity of a left-hand bend, which the LHA do not consider is in the interests of highway safety.

Vehicular Visibility Splays

Vehicular visibility splays should be provided in both directions of a site access in accordance with Figure DG2a and Table DG4 of Part 3 of the LHDG. The splay lengths should be in accordance with Table DG4 which are based on 85th percentile vehicle speeds following a speed survey. The 85th percentile speed has not been provided, however it can be noted that if recorded design speeds were in line with the posted speed limit of 30mph, splays of 2.4m by 43m would be required in accordance with Table DG4 of Part 3 of the LHDG.

The LHA measured the visibility splays during its site visit on 23 November 2023. To the northwest of the access, vehicular visibility splays of 2.4m by 43m are achievable, and 2.4m by 41m to the southeast. As such there is a shortfall in visibility to the southeast, which could be further hampered by vehicles parked within the highway.

Figure DG17 of Part 3 of the LHDG also states normally pedestrian visibility splays of 1m by 1m both sides (no planting permitted) unless there are local circumstances which apply e.g. a significant pedestrian traffic generator is in the vicinity (such as a school, playground or playing fields etc) in which case 2m by 2m is required.

The LHA notes the site is to the southeast of Barwell town centre, within the vicinity of the site the following facilities/services are available:

Facilities / Services	Approximate Distance from site
Dovecote Way Play Area	113m
Dawson Lane Industrial Area	120m
Recreation Ground	213m
Chapel Street Play	260m
Barwell Town Centre with all the amenities it has to offer	334m

Taking the information contained within the above table into consideration, given the likelihood of increased footfall at the site access, the LHA would expect 2m by 2m pedestrian visibility splays within the Applicant's land. However, given the site access width limitations the LHA considers it unlikely these could be provided.

Other

There are no facilities for a bin collection point for the proposed three dwellings adjacent to the highway. The LHA would consider this could further reduce the access width on bin collection days. However, this is not a material consideration for the LHA.

Trip Generation

These proposals represent the intensification of use of a substandard access. The proposed development would introduce additional two-way movements at the existing site access. The introduction of two-way movements at this location would be unacceptable as the access cannot be designed in accordance with Figure DG17 of Part 3 of the LHDG due to boundary constraints.

Internal Layout

If the LPA are minded to grant the proposals permission, the following should be considered.

The Applicant is proposing three x 2-bedroom dwellings. As part of the application the Applicant has provided a plan titled 'Parking Plan', drawing number MS23A004_005. This demonstrates each dwelling would have two off-street car parking spaces, this accords with Paragraph 3.151 of Part 3 of the LHDG.

The off-street car parking spaces have been demonstrated on 'Parking Plan', drawing number MS23A004_005 as 4.8m in length. Whilst this does not accord with Paragraph 3.165 of Part 3 of the LHDG in terms of length, given the distance of the dwellings to the public highway, it is not considered this would lead to parking within the highway.

The LHA find the on-site turning within the site to accord with Figure DG13 of Part 3 of the LHDG.

Link

<https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide>

Closing

The LHA advise the LPA that having considered the information supplied by the Applicant, the application should be refused on the grounds of highway safety for the reason set out above. The proposal, if permitted, would result in the intensification of use of an access which is substandard in width and both vehicular and pedestrian visibility splays.

The LHA does not consider that the access is 'safe and suitable' in the context of paragraph 110 of the National Planning Policy Framework (NPPF). Accordingly, the LHA concludes that the proposals would result in an 'unacceptable impact on highway safety', in the context of paragraph 111 of the NPPF.

Date Received
15 November 2023

Case Officer
Neal Chantrill

Reviewer
AW/DH

Date issued
04 December 2023